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*Washington, Wednesday, January 6, 1943*

## *The President*

### EXECUTIVE ORDER 9294

#### FURTHER DEFINING OF THE FUNCTIONS AND DUTIES OF THE OFFICE OF DEFENSE TRANSPORTATION

By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered:

#### I

1. The term "local passenger transportation equipment" whenever used in this Order shall include buses, street railway cars, trolley coaches, trucks converted for passenger transportation, ferries, and other vehicles and vessels used or capable of being used to carry nine or more passengers (including the operator) in public or private carrier service.

2. In addition to the functions, duties, and powers conferred upon it by Executive Order No. 8989, approved December 18, 1941,<sup>1</sup> Executive Order No. 9156, approved May 2, 1942,<sup>2</sup> and Executive Order No. 9214, approved August 5, 1942,<sup>3</sup> the Office of Defense Transportation shall:

a. Advise and assist Federal departments and agencies, State and local governments, and private organizations in surveying the need for and planning the provision of transportation service for the movement of personnel to and from war plants and establishments, and where necessary, initiate and develop such surveys and plans. Due consideration should be given in making such surveys and plans to all transportation needs of each area, including those related to production in the war effort, agricultural as well as industrial, to military and naval establishments, and to essential civilian services.

b. Review and approve such contracts, agreements, or arrangements hereafter made by Federal departments and agencies, or by private firms (except common carriers) holding contracts from such

departments and agencies, for the purchase, lease, requisition, or use of new or used local passenger transportation equipment, as the Director considers necessary to ensure the proper provision of passenger transportation services to war plants and establishments; in the discretion of the Director, review, approve, or direct the re-negotiation of such contracts, agreements, or arrangements now in effect, except those on which final payment has been made prior to the date of this Order.

c. Advise the War Production Board on the allocation of new local passenger transportation equipment; and, as necessity arises, recommend to the War Production Board programs and procedures for controlling the transfer and placement of used local passenger transportation equipment.

3. No Federal department or agency or private firm (except common carriers) holding a contract from such department or agency shall hereafter complete arrangements for the purchase, lease, requisition, or use of local passenger transportation equipment without giving prior notice thereof to the Office of Defense Transportation, and, if the Director considers it necessary, without submitting the contract, agreement, or arrangement to the Office of Defense Transportation for review and approval. The Office of Defense Transportation shall establish appropriate procedures for carrying out the purpose of this Order and each affected department or agency shall designate an official representative to advise with the Office of Defense Transportation on such matters.

4. Nothing herein shall be deemed in any way to limit the functions and authority of the Chairman of the War Production Board under paragraph 4 of Executive Order No. 8989 of December 18, 1941, and paragraph 1 (a) of Executive Order No. 9040 of January 24, 1942,<sup>4</sup> of the War Shipping Administrator, or of the Interstate Commerce Commission.

5. The provisions of this Order respecting the use of local passenger transportation equipment shall not apply to movements of military and naval per-

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<sup>1</sup> 6 F.R. 6725.

<sup>2</sup> 7 F.R. 3349.

<sup>3</sup> 7 F.R. 6097.

<sup>4</sup> 7 F.R. 527.

(Continued on next page)

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sonnel when on maneuvers, on trips made under orders, or on other special operations necessary for the prosecution of the war.

#### II

1. The Office of Defense Transportation shall include within the scope of its authority as defined in this and all other Orders defining its functions all domestic transportation within the territories and possessions of the United States.

2. The Director of the Office of Defense Transportation is hereby designated as the head of any agency which may initiate action for the requisitioning of property under the terms of and in accordance with the procedures established by Executive Order No. 8942, approved November 19, 1941.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

January 4, 1943.

[F. R. Doc. 43-221; Filed, January 4, 1943; 4:46 p. m.]

#### EXECUTIVE ORDER 9293

##### QUARRY HEIGHTS MILITARY RESERVATION CANAL ZONE

By virtue of and pursuant to the authority vested in me by section 5 of Title II of the Canal Zone Code, approved June 19, 1934, and as President of the United States, the following-described area of land situated in the Canal Zone is hereby reserved and set apart as, and assigned to the uses and purposes of, a military reservation, which shall be known as Quarry Heights Military Reservation, and shall be under the control and jurisdiction of the Secretary of War, except that it shall be subject to the civil

6 F.R. 5909.

jurisdiction of the Canal Zone authorities in conformity with the provisions of the Canal Zone Code:

Beginning at a 4-inch square brass plate (engraved Q. H. M. R., No. 1) in a 10-inch square concrete monument marked No. 1 on Panama Canal drawing No. M-6110-93, located on the southerly side of Edwards Place and 25.0 feet at right angles, from the face of the northerly curb of Balboa Road. The geographic position of monument No. 1 (referred to the Panama-Colon datum of the Canal Zone triangulation system) is in latitude 8°57' N., plus 1171.7 feet, and longitude 79°33' W., plus 1502.1 feet (all brass plate markers and concrete monuments are similar to No. 1 unless otherwise described); thence,

N. 74°06' W., 463.2 feet, along the southerly edge of Edwards Place, to a monument, marked No. 2 on the map, in latitude 8°57' N., plus 1298.6 feet, and longitude 79°33' W., plus 1947.6 feet; thence,

N. 18°03' E., 214.6 feet, to a monument marked No. 3 on the map, located on the 150-foot contour, in latitude 8°57' N., plus 1502.6 feet, and longitude 79°33' W., plus 1881.1 feet; thence,

Northerly, along the 150-foot contour to a monument, marked No. 4 on the map, in latitude 8°57' N., plus 1846.6 feet, and longitude 79°33' W., plus 1777.9 feet (the direct bearing and distance from monument No. 3 to monument No. 4 is N. 16°42' E., 359.1 feet); thence,

Northerly and westerly, along the 150-foot contour to a monument, marked No. 5 on the map, in latitude 8°57' N., plus 2366.3 feet, and longitude 79°33' W., plus 1933.8 feet (the direct bearing and distance from monument No. 4 to monument No. 5 is N. 16°42' W., 542.6 feet); thence,

Northwesterly and northeasterly, along the 150-foot contour to a monument, marked No. 6 on the map, in latitude 8°57' N., plus 2589.4 feet, and longitude 79°33' W., plus 2006.7 feet (the direct bearing and distance from monument No. 5 to monument No. 6 is N. 18°05' W., 234.7 feet); thence,

Westerly, along the 150-foot contour to a monument, marked No. 7 on the map, in latitude 8°57' N., plus 2742.7 feet, and longitude 79°33' W., plus 2359.7 feet (the direct bearing and distance from monument No. 6 to monument No. 7 is N. 66°32' W., 384.9 feet); thence,

Northerly, northeasterly, and northerly along the 150-foot contour to a monument, marked No. 8 on the map, in latitude 8°57' N., plus 3487.7 feet, and longitude 79°33' W., plus 1742.6 feet (the direct bearing and distance from monument No. 7 to monument No. 8 is N. 39°38' E., 967.4 feet); thence,

S. 76°39' E., 301.8 feet, to an iron rod in road, which is monument "A" on the map, in latitude 8°57' N., plus 3418.1 feet, and longitude 79°33' W., plus 1449.0 feet; thence,

N. 6°05' E., 359.3 feet, to an iron rod in concrete, which is monument "B" on the map, in latitude 8°57' N., plus 3775.4 feet, and longitude 79°33' W., plus 1410.9 feet; thence,

S. 81°55' E., 270.5 feet, to a 2-inch pipe, located on the 325-foot contour marked monument "C" on the map, in latitude 8°57' N., plus 3737.4 feet, and longitude 79°33' W., plus 1143.1 feet; thence,

Northerly, along the 325-foot contour to a monument marked No. 10 on the map, in latitude 8°57' N., plus 3925.4 feet, and longitude 79°33' W., plus 1285.5 feet (the direct bearing and distance from monument "C" to monument No. 10 is N. 37°09' W., 235.8 feet); thence,

Northerly, along the 325-foot contour to a monument marked No. 11 on the map, in latitude 8°57' N., plus 4748.4 feet, and longitude 79°33' W., plus 1011.7 feet (the direct bearing and distance from monument No. 10 to monument No. 11 is N. 18°24' E., 867.4 feet); thence,



Easterly and southeasterly, along the 325-foot contour to a monument, marked No. 12 on the map, in latitude 8°57' N., plus 4531.5 feet, and longitude 79°33' W., plus 528.5 feet (the direct bearing and distance from monument No. 11 to monument No. 12 is S. 65°49' E., 529.7 feet); thence,

Southerly, easterly, and southeasterly, along the 325-foot contour to a monument, marked No. 13 on the map, in latitude 8°57' N., plus 4209.0 feet, and longitude 79°33' W., plus 325.5 feet (the direct bearing and distance from monument No. 12 to monument No. 13 is S. 32°11' E., 381.0 feet); thence,

Southerly, along the 325-foot contour to a monument, marked No. 14 on the map, in latitude 8°57' N., plus 3931.2 feet, and longitude 79°33' W., plus 400.2 feet (the direct bearing and distance from monument No. 13 to monument No. 14 is S. 15°03' W., 287.6 feet); thence,

Southeasterly, and southerly along the 325-foot contour to a monument, marked No. 15 on the map, in latitude 8°57' N., plus 3712.2 feet, and longitude 79°33' W., plus 237.6 feet (the direct bearing and distance from monument No. 14 to monument No. 15 is S. 36°35' E., 272.8 feet); thence,

S. 12°16' E., 1142.8 feet through monuments, marked No. 16 and No. 17 on the map, to a monument, marked No. 18 on the map, in latitude 8°57' N., plus 2595.5 feet, and longitude 79°32' W., plus 6008.1 feet; thence,

S. 55°40' E., 520.3 feet, through a monument, marked No. 19 on the map, to a monument, marked No. 20 on the map, located 25.0 feet northwesterly and at right angles from the face of the northwesterly curb of Fourth of July Avenue, in latitude 8°57' N., plus 2302.0 feet, and longitude 79°32' W., plus 5578.4 feet (on a continuation of this bearing, 24.4 feet, is a brass reference plug cemented into the northwesterly curb of Fourth of July Avenue); thence,

Southwesterly, and westerly, parallel to and 25.0 feet northwesterly and at right angles from the face of the curb on Fourth of July Avenue and northerly and at right angles from the face of the curb of Balboa Road, through a brass plug cemented into the northerly curb of Edwards Place, to the point of beginning.

The directions of the lines refer to the true meridian.

Elevations are referred to precise level datum.

The above-described tract contains an area of 126.2 acres, more or less.

The above-described area was surveyed by the Section of Surveys, The Panama Canal, in December, 1935, May, 1936, and October, 1942, and is as shown on Panama Canal drawing No. M-6110-93 dated November 7, 1942, titled "Boundary of Quarry Heights Military Reservation," showing approval by the Governor, The Panama Canal, and the Commanding General, Panama Canal Department, in whose offices the drawing is filed.

This order supersedes Executive Order No. 7407 of July 6, 1936, establishing the Quarry Heights Military Reservation, and any lands affected by that order and not contained within the area described in this order are hereby released from the said reservation.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

January 2, 1943.

[F. R. Doc. 43-177; Filed, January 4, 1943; 12:08 p. m.]

## Regulations

### TITLE 7—AGRICULTURE

#### Chapter IX—Agricultural Marketing Administration

##### PART 957—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

##### ORDER SPECIFYING EFFECTIVE DATE FOR SUSPENSION OF CERTAIN PROVISIONS

The order, executed on December 23, 1942, and published on December 25, 1942, in the FEDERAL REGISTER (7 F.R. 10832), suspending the provisions in § 957.2 (a) of the order regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, is hereby made effective at 12:01 a. m., P. w. t., January 5, 1943; and, therefore, the second paragraph in the aforesaid order dated December 23, 1942, reads as follows:

*It is, therefore, ordered,* That the provisions in § 957.2 (a) of the aforesaid order be, and the same hereby are, suspended during the period of time beginning at 12:01 a. m., P. w. t., January 5, 1943, and ending on June 30, 1943, inclusive.

The provisions hereof will tend to effectuate the declared policy of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed., 601 et seq.), pursuant to which the aforesaid order regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, became effective on September 5, 1941.

Issued at Washington, D. C., this 4th day of January 1943. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

THOMAS J. FLAVIN,  
Assistant to the  
Secretary of Agriculture.<sup>1</sup>

[F. R. Doc. 43-253; Filed, January 5, 1943; 11:50 a. m.]

### TITLE 8—ALIENS AND NATIONALITY

#### Chapter II—Office of Alien Property Custodian

[General Order 15]

##### PART 503—GENERAL ORDERS

##### ALIEN INVENTORS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned hereby issues the following regulation:

§ 503.15 General Order No. 15. (a) Any inventor (1) who claims full legal

<sup>1</sup> Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2056).

title to a patent or patent application vested by the Alien Property Custodian, (2) who resided in enemy territory at the date of execution of the application for patent or at any time since such date but before the date on which said patent or patent application was vested, (3) who has not resided in enemy territory at any time on or since the date on which said patent or patent application was vested, and (4) who is desirous of notifying the Alien Property Custodian of such claim, may file a notice of said claim on Form APC-16, which is hereby adopted and made a part of this regulation; *Provided, however,* That said inventor resides in the United States on the date on which said notice of claim is executed. Form APC-16 shall be executed under oath, shall be filed with the Office of Alien Property Custodian, Washington, D. C., and shall contain complete information as provided in said Form.

(b) Any person (1) who claims full legal title to a patent or patent application vested by the Alien Property Custodian as a result of assignment to such person and (2) who is desirous of notifying the Alien Property Custodian of such claim, may file a notice of said claim on Form APC-17, which is hereby adopted and made a part of this Regulation; *Provided, however,* That on the date upon which said patent or patent application was vested, said person was a resident and citizen of the United States; *And provided further,* That no claim shall be filed on Form APC-17 unless before January 1, 1939, the patent or patent application stood of record in the United States Patent Office in the name of a resident and citizen of the United States. Form APC-17 shall be executed under oath, shall be filed with the Office of Alien Property Custodian, Washington, D. C., and shall contain complete information as provided in said Form.

(c) The existence of an interest of a designated foreign national in the patent or patent application (such as a right to receive royalties) shall not constitute a bar to the filing of a notice of claim under Sections (a) or (b) hereof provided that the person filing said notice otherwise claims full legal title to such patent or patent application and provided such interest of a designated foreign national has been reported on Form APC-2.

(d) Nothing contained herein shall be deemed to limit any provision made for the assertion of a claim arising as a result of a vesting order, and the filing of a notice of claim on either Form APC-16 or Form APC-17 shall in no way prevent the filing of a notice of claim on Form APC-1 with respect to the same property.

(e) If, in the opinion of the Alien Property Custodian, upon consideration of any notice of claim filed under this regulation, a patent or patent application was vested by mistake, the vesting order by which such patent or patent application was vested may be declared null and void to the extent that the patent or patent application is involved therein.



(f) For the purpose of this regulation:

(1) "Enemy territory" shall mean the territory of any foreign country with which the United States is, or may in the future be, at war and any territory controlled or occupied by the military, naval or police forces or other authority of any such foreign country. Territories so controlled or occupied shall be deemed to be the territory of Albania, Austria, Czechoslovakia, anzig, Estonia, French Indo-China, Greece, Hong Kong, Latvia, Lithuania, Luxembourg, British Malaya, Norway, Poland, San Marino, Thailand, Yugoslavia, those portions of Belgium, Denmark, France and The Netherlands within continental Europe, that portion of Burma, China, Netherlands East Indies and Philippine Islands occupied by Japan, that portion of the Union of Soviet Socialist Republics occupied by Germany; and any other territory controlled or occupied by Germany, Italy, Japan, Bulgaria, Hungary or Rumania.

(2) "Designated foreign national" shall mean:

(i) Any resident of any country other than the American Republics, the British Commonwealth of Nations, and the Union of Soviet Socialist Republics.

(ii) Any business organization, organized under the laws of, or having its principal place of business in, any foreign country other than those enumerated in subparagraph (2) (i) of this paragraph.

(iii) Any person included in The Proclaimed List of Certain Blocked Nationals on June 1, 1942.

(40 Stat. 411; 55 Stat. 839; E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on December 29, 1942.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-235; Filed, January 5, 1943; 9:57 a. m.]

## TITLE 14—CIVILIAN AVIATION

### Chapter I—Civil Aeronautics Board

[Order, Serial No. 2092]

#### PART 15—AIRCRAFT EQUIPMENT AIRWORTHINESS

##### ORDER POSTPONING EFFECTIVE DATE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 30th day of December 1942.

Whereas The Civil Aeronautics Board, at a regular session held at its office in Washington, D. C., on October 28, 1942, ordered that the effective date of Amendment No. 15-1<sup>1</sup> be postponed to January 1, 1943; and it appearing that:

Certain material required in the manufacture of the lights and mechanisms described in Amendment No. 15-1 will not be available in time to permit scheduled air carriers to install such lights and mechanisms by January 1, 1943;

Now, therefore, The Civil Aeronautics Board, acting pursuant to sections 205

(a) and 601 of the Civil Aeronautics Act of 1938, as amended:

Orders, That the effective date of Amendment No. 15-1 be, and hereby is, postponed to March 1, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 43-186; Filed, January 4, 1943; 2:49 p. m.]

## TITLE 24—HOUSING CREDIT

### Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 146]

#### PART 402—LOAN SERVICE DIVISION

##### MISCELLANEOUS AMENDMENTS

Amending Part 402, Chapter IV, Title 24 of the Code of Federal Regulations: §§ 402.00-1 [6 F.R. 5636] and 402.16-5 [6 F.R. 5639] are revoked.

The third paragraph of § 402.00 (n) [6 F.R. 5632] shall be amended to read as follows:

§ 402.00 *General policy and home office.* \* \* \*

(n) *Authority to pay expenses in connection with servicing.* \* \* \*

Any Regional Manager, with the advice or approval of the Regional Counsel where required, may exercise the authority herein granted, up to and not exceeding \$50.

Section 402.03 (b) [6 F.R. 5633] shall be amended to read as follows:

§ 402.03 *Analysis and review section.* \* \* \*

(b) *Cases to be reviewed.* This section shall review all cases where contemplated advances will affect the future servicing of the account, excepting those which may be reviewed by the Control Supervisor.

The first paragraph of § 402.12 (a) [6 F.R. 5633] shall be amended to read as follows:

§ 402.12 *Foreclosure—(a) Foreclosure and deficiency judgments.* After all efforts to collect the debt owing to the corporation have been made, as is provided by the rules and regulations, and all efforts to assist the home owner have been exhausted and it becomes necessary to protect the taxpayers, the General Manager may authorize foreclosure or the acceptance of a deed in lieu thereof. When deeds in lieu of foreclosure are accepted from owners of mortgaged properties in settlement of the indebtedness owing to the Corporation no sum shall be paid to the owner of the property, but as a part of the consideration for such deed an owner may be permitted to continue in possession of the premises for a limited time within the discretion of the Regional Manager under advice of the Regional Counsel. When foreclosure is authorized it shall be determined whether or not a deficiency claim shall be retained on the books of the Corporation if the value of the security is less than the amount of the debt.

Section 402.13 (a) [6 F.R. 5636] shall be amended to read as follows:

§ 402.13 (a) *Suspension and withdrawal of foreclosure.* At any time prior to the acquisition of absolute title by the Corporation, the General Manager, with the advice of the General Counsel, may direct that foreclosure proceedings or negotiations for a deed in lieu of foreclosure be suspended or withdrawn and the loan or sales account reinstated on such terms and conditions as he may determine to be for the best interest of the Corporation. In connection with such withdrawal and reinstatement he may effect the cancellation of the old indebtedness and the taking of new loan or sales instruments. In connection therewith he may also direct the acquisition of title by the Corporation and the execution of instalment contracts or other like sales instruments or deeds to home owners or to third parties, accepting appropriate security instruments. No suspension, withdrawal or reinstatement in such cases shall be made which would involve a loss to the Corporation. The authority herein granted may be exercised in any case where a notice of withdrawal has been issued, but on account of the lack of time or for other cause, the reinstatement has not been accomplished prior to the acquisition of absolute title. All cases handled under such authority shall be classified as withdrawn foreclosures and not as sales. The authority herein vested in the General Manager may be exercised also by the Regional Manager, with the advice of the Regional Counsel.

Section 402.13-5 [6 F.R. 5638] shall be amended to read as follows:

§ 402.13-5 *Payments required.* Before temporary or other suspension is directed, the home owner should ordinarily be required to remit a sum at least equivalent to the costs and expenses which have been incurred, but cases will arise in which such remittance cannot be made immediately by the home owner, and in such cases the Regional Manager should determine whether the required sum will be paid in full within a short time and whether temporary or other suspension without the immediate payment of such sum will be in the best interests of the Corporation.

Section 402.15 (a) [6 F.R. 5633] shall be amended to read as follows:

§ 402.15 (a) *Caretaker for abandoned property.* In any case in which it is found necessary to appoint a caretaker for property upon which the Corporation holds a loan and which has been abandoned, the Regional Manager with the advice of the Regional Counsel, may appoint such a caretaker, appropriately instruct him as to the performance of his work and determine the compensation therefor. The expense thereof shall be paid from the Regional Working Fund.

Section 402.16 (a) [6 F.R. 5633] shall be amended to read as follows:

§ 402.16 (a) *Advances for reconditioning.* The General Manager may author-

<sup>1</sup> 7 F.R. 1710, 4938, 8843.



ize advances for the account of borrowers, vendees and transferees, to accomplish reconditioning of any nature whatsoever, provided such reconditioning is determined to be in the best interest of the Corporation in order to protect its security, to facilitate the collection of the indebtedness owing to the Corporation or to promote the orderly liquidation of the assets of the Corporation; and may incur and approve the amount and payment of fees and expenses in connection with such advances, except legal fees and expenses which shall be incurred, approved and paid as provided in Part 406 of this chapter.

The authority herein granted may be exercised, also, by the Regional Manager in those cases where he determines that an advance for reconditioning is in the best interest of the Corporation in order to protect its security or to facilitate the collection of the indebtedness owing to the Corporation, provided the amount to be authorized (exclusive of legal and inspection fees) does not exceed \$1000, and subject to the advice of the Regional Counsel and to the provisions of Part 405 of this chapter.

Section 402.17-4 [6 F.R. 5639] shall be amended to read as follows:

§ 402.17-4 *Property purchase by Corporation employee.* When an officer or employee of the Corporation desires to enter into a contract with a home owner to purchase any property on which the Corporation holds a loan or sales instrument, such officer or employee shall submit a statement or the proposed sale contract, with a statement by the home owner or other satisfactory evidence that said home owner has been informed of the purchaser's relationship to the Corporation and that the proposed sale agreement is voluntarily entered into. All statements and other information relating to the transaction shall be forwarded through the Control Supervisor to the Regional Manager. If the Regional Manager recommends approval of the transaction, he shall forward all information with respect to the proposed sale, together with the loan docket and his recommendations to the Property Committee in the Home Office.

The third paragraph of § 402.18 (a) (3) [6 F.R. 5633] shall be amended to read as follows:

§ 402.18 *Deceased borrowers—(a) Filing of claims.* \* \* \*

(3) \* \* \*

The authority herein vested in the General Manager may be exercised also by Regional Managers.

The second paragraph of § 402.19-1 [6 F.R. 5639] shall be amended to read as follows:

§ 402.19-1 *Policy.* \* \* \*

*Payment for errors by employees.* Where the Corporation is requested to release a portion of the property covered by its lien description, because of error in including more property than was owned by the home owner, the Regional Manager shall ascertain the party responsible for such error and require such party or parties, if still in the employ of

the Corporation, to pay the expenses incident to the release. If the party responsible for the error is not in the employ of the Corporation, such steps as the Regional Manager deems advisable shall be taken to obtain from such party reimbursement for the expenses incident to the correction. However, the collection of the expenses as provided herein shall not be considered as a condition precedent to the granting of the release. If, in the opinion of the Regional Counsel, the Corporation has acquired any substantial interest in the property by virtue of advances made or otherwise, for which it has a right of recovery either in law or equity, the release shall not be executed unless, in the opinion of the Regional Manager and Regional Counsel, the release would be for the best interests of the Corporation.

The first paragraph of § 402.19-26 [6 F.R. 5640] shall be amended to read as follows:

§ 402.19-26 *Instruments used and terms of repayment.* The Regional Manager with the advice of the Regional Counsel shall decide whether the present mortgage shall be released in full and two or more new mortgages taken in lieu thereof or whether the present mortgage shall be released in part and a new mortgage taken for the part released. Whether released in whole or in part, any new mortgage must be executed by the present home owner and the new mortgage on the property purchased must be assumed by the purchaser in the conveyance or otherwise. When the foregoing procedure pertaining to instruments to be taken cannot be followed under the laws and practices in any particular state, such procedure may be followed as shall be in conformity with such laws and practices. The total indebtedness secured by said mortgages shall equal the balance due the Corporation less any credits to the loan arising from the transaction. The Regional Manager, with the advice of the Regional Counsel, shall fix the amortization rate on any new mortgages and the terms of any supplemental agreement with the home owner providing for revised amortization of the indebtedness not assumed by the purchaser, in conformity with § 402.10 (a). No instrument shall be executed the effect of which will be to release or modify the rights of the Corporation against sureties or other parties secondarily liable without the express approval of the Regional Manager with the advice of Regional Counsel. When the transaction is consummated, the indebtedness to the Corporation shall be secured by liens valid in the opinion of the Regional Counsel, who shall make a certificate to that effect.

Section 402.24 (c) shall be amended to read as follows:

§ 402.24 *Taxes.* \* \* \*

(c) *Consents to moratoria or assessments.* The Regional Manager, with the advice of the Regional Counsel, may grant consents to home owners to enable them to comply with the necessary requirements to obtain the benefit of moratoria established or declared by proper legislative authority or legal action, relating to taxes, assessments, or other governmental levies or charges.

The Regional Manager may execute consents to proposed improvements out of which assessments or levies will arise.

On properties owned by the Corporation, agreements or other instruments required to be executed to permit the payment of taxes or assessments in installments may, when approved by Regional Counsel, be executed by the Regional Manager.

Section 402.24-16 [6 F.R. 5643] shall be amended to read as follows:

§ 402.24-16 *Relating to moratoria.* Consents relating to moratoria affecting taxes, assessments, or other governmental levies or charges shall not be executed unless in the opinion of the Regional Counsel such moratoria are valid and such consents will not affect the enforceability or priority of the Corporation's lien and will not render the Corporation liable for any taxes, assessments or other governmental levies or charges, or for any interest or penalties, and the home owner requesting such consent has executed an agreement for a tax and insurance account.

Section 402.24-17 [6 F.R. 5643] shall be amended to read as follows:

§ 402.24-17 *Consents to proposed improvements.* The Regional Manager, with the advice of the Regional Counsel, may execute on behalf of the Corporation consents to proposed improvements out of which assessments or levies will arise, when in the opinion of the Regional Manager, such action is in the best interests of the Corporation. Petitions and requests for local or neighborhood improvements which affect properties under the jurisdiction of the Property Management Division and out of which assessments or levies will not arise are governed by the provisions of Part 403 of this chapter.

Effective December 15, 1942.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by Sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,  
Secretary.

[F. R. Doc. 43-238; Filed, January 4, 1943; 3:28 p. m.]

[Bulletin No. 147]

#### PART 408—ACCOUNTING SECTION

##### MAILING DATE OF FINAL PAYMENTS

Amending Part 408, Chapter IV, Title 24 of the Code of Federal Regulations.

Section 408.00j [7 F.R. 8169] is amended to read as follows:

§ 408.00j *Mailing date of final payments.* In considering the date of full and final payment of all monies due the Corporation on an account, the mailing date (as evidenced by the postmark on the envelope transmitting such payment



to an office of the Corporation) shall be accepted as the date on which the payment was received by the Corporation. This rule shall not apply where the borrower indicates in writing, or by implication from the amount of the remittance, or otherwise, that the payment was intended to be made on some other predetermined date subsequent to the date of such postmark.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective December 21, 1942.

[SEAL] J. FRANCIS MOORE,  
Secretary.

[F. R. Doc. 43-187; Filed, January 4, 1943;  
3:28 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VIII—Board of Economic Warfare

#### Subchapter B—Export Control

[Amendment 98]

#### PART 802—GENERAL LICENSES

##### GENERAL INTRANSIT LICENSES

Subparagraph (2) of paragraph (b) of § 802.9 *General intransit licenses* is hereby amended to read as follows:

(2) "Western Hemisphere" as used in this paragraph, includes only the countries designated by the following numbers in paragraph § 802.2 (a) of this subchapter: 3 through 24, 61, 62, 100 and 101.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

DECEMBER 29, 1942.

[F. R. Doc. 43-239; Filed, January 5, 1943;  
9:59 a. m.]

[Amendment 99]

#### PART 801—GENERAL REGULATIONS

##### PART 802—GENERAL LICENSES

##### PART 803—UNLIMITED LICENSES

##### PART 804—INDIVIDUAL LICENSES

##### PART 806—TECHNICAL DATA

##### PROHIBITED EXPORTATIONS, ETC.

Part 801—General Regulations is hereby amended in the following particulars:

1. Section 801.2 *Prohibited exportations* is hereby amended by revising the paragraph preceding the table of commodities to read as follows:

§ 801.2 *Prohibited exportations.* The exportation from the United States of all articles, materials and supplies hereafter enumerated in this section and all

technical data as defined in § 806.1 of this subchapter to all destinations except Canada (including that part of Labrador under Canadian authority) is hereby prohibited unless and until an applicable license authorizing such exportation shall have been issued by the Office of Exports:

2. The following new sections are added:

§ 801.11 *Shipments to territories, dependencies and possessions of the United States.* No license is required for shipments from the United States to any territory, dependency or possession of the United States, except the Philippine Islands.

§ 801.12 *Intransit shipments without unloading.* Articles and materials shipped by vessel from one foreign country and passing through the United States in transit to another foreign country may be exported without a license from the Office of Exports if, while in waters subject to the jurisdiction of the United States, they have not been unladen from the vessel on which they entered such waters.

§ 801.13 *Shipments unloaded by order of Federal Government.* When the United States Government has ordered the removal from a vessel of goods laden under a license issued by the Office of Exports, the exporter may subsequently export such goods under the license in effect at the time of the original lading even though, in the case of individual license, such license has expired prior to exportation, or, in the case of a general or unlimited license, such license has been revoked prior to exportation. Such goods may not be exported, however, under an individual license which has been revoked.

§ 801.14 *Shipments to Canada for re-exportation to another foreign country.* The exportation from the United States of all articles, materials and supplies enumerated in § 801.2 of this subchapter and all technical data as defined in § 806.1 of this subchapter to Canada (including that part of Labrador under Canadian authority) with the knowledge or intention that they are to be reexported therefrom to another foreign destination is hereby prohibited unless there is in effect a license authorizing the exportation thereof to the country of ultimate destination. In the case of general licenses, the exporter shall place the general license number on the export declaration in the manner specified in § 802.2 (b) of this subchapter.

Section 802.9 *General intransit licenses* is hereby amended in the following particulars:

1. Paragraph (a) is amended to read as follows:

(a) General intransit licenses are hereby issued permitting exportation of all articles and materials, except as limited by subsequent provisions of this section, originating in a designated foreign country and passing through the United States or any place subject to the juris-

diction of the United States in transit to a designated foreign destination, as specified in paragraph (b) of this section.

2. Paragraph (b) is hereby amended by adding the following new subparagraph:

(4) In addition to those listed in subparagraph (1) of this paragraph there is also issued a general intransit license, designated GIT-C/P, which authorizes the shipment of all articles and materials through the United States in transit to Portugal when consigned by the Canadian Red Cross Society to an agent of that Society and destined for British prisoners in Germany.

3. Paragraph (d) is amended by revising that part of the paragraph which precedes the list of commodities to read as follows:

(d) Intransit shipments of commodities hereafter listed in this paragraph may not be made under any general intransit license set forth in this section except GIT-A/A or GIT-Y/Z, as set forth in paragraph (b), or when proceeding under bond from Mexico through the United States to another part of Mexico, or when proceeding between any part of the Western Hemisphere and the Republic of Panama through the Panama Canal Zone:

4. The following new paragraph is added:

(f) Overcarried shipments (which are hereby defined to mean goods exported from the United States and returned in error to the United States) may not be exported under these general intransit licenses.

Paragraph (b) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of excepted items the following:

Photographic unexposed film, plates and paper (including blue print paper).

Paragraph (c) of § 802.14 *Metal drums and containers* is hereby amended to read as follows:

(c) General licenses are hereby issued permitting exportation to all destinations included in General License Country Group K, as set forth in § 802.3 (a), of metal drums and containers, regardless of capacity, when filled with chemicals or petroleum products the exportation of which has been authorized by an individual export license issued prior to July 15, 1942.

Paragraph (b) of § 802.15 *Reexportation of machinery or parts* is hereby amended to read as follows:

(b) Replacement parts which are added to such machinery or parts of machinery while in the United States; and

Part 802—General Licenses is further amended by adding the following new sections:

§ 802.19 *Return of empty containers to foreign country.* General licenses are hereby issued permitting exportation to all destinations in General License Coun-



try Group K of metal drums, gas cylinders, bags and other containers which have previously been used in shipping articles and materials to the United States: *Provided*, That they are exported empty to the country from which they were imported into the United States.

Paragraph (c) of § 803.2 *Commodities and countries of destination* is hereby amended by revising the item "Cork products" to read as follows:

Cork products: Gaskets in shipments under \$50 in value (which may be exported under this unlimited license to all countries in the British Empire, including Great Britain and Northern Ireland, and to Egypt).

Paragraph (a) of § 804.8 *Certificates of necessity* is hereby amended to read as follows:

(a) A Certificate of Necessity is a certification by any one of the countries hereinafter listed establishing the degree of essentiality of the commodities described in such certificate.

Country	Certifying agency
Argentina.....	Central Bank of the Argentine Republic.
Bolivia.....	Ministry of National Economy, Bolivia.
Brazil.....	Carteira de Exportacao e Importacao, Banco de Brazil.
Chile.....	Consejo Nacional de Comercio Exterior.
Colombia.....	Superintendencia Nacional de Importaciones.
Costa Rica.....	Oficina de Defensa Economica.
Cuba.....	Import and Export Agency (headed by Dr. José Miguel Irisarri).
Dominican Republic.....	Comite de Control Sobre Importaciones y Exportaciones of the Dominican Republic.
Ecuador.....	Oficina de Prioridades y Distribucion de Importaciones.
El Salvador.....	Import Control Committee of Ministry of Finance. (Two signatures necessary—W. W. Renwick, President; José Mojia Perez, Vice President; or Alfredo Mejia, Secretary, authorized to sign for Committee; Rodrigo Samayoa, Minister of Finance, or Arturo Bustamante, Under Secretary of Finance, may sign for Government).
Guatemala.....	Seccion de Coordinacion Economica Financiera de Guatemala (under jurisdiction of Ministry of Foreign Relations).
Haiti.....	Office des Contingents (quota office), Ministry of Commerce.
Honduras.....	Oficina de Control de Materiales Estrategicos.
Mexico.....	Oficina de Control y Aprovisionamientos (a section of the Ministry of National Economy).
Nicaragua.....	Junta de Control de Precios y Comercio.
Panama.....	Ministry of Agriculture and Commerce.
Paraguay.....	Department of Industry and Commerce of Ministry of Agriculture.
Peru.....	Reparticion Comercial, Ministerio de Hacienda y Comercio.
Uruguay.....	Controlador de Exportaciones e Importaciones (Office of Export and Import Control).
Venezuela.....	Import Control Commission.

Part 804—Individual Licenses is further amended by adding the following new section:

§ 804.15 *Reexportation from country of destination*. No exportation may be made under any individual license with the knowledge or intention that the articles, materials or supplies so exported are to be reexported from the country stated on the license application as the country of ultimate destination.

Section 806.2 *General licenses* is hereby amended in the following particulars:

1. Paragraph (c) *Canada* is hereby deleted.

2. Paragraphs now lettered (d) to (f), both inclusive, are hereby relettered (c) to (e).

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

DECEMBER 30, 1942.

[F. R. Doc. 43-240; Filed, January 5, 1943; 9:59 a. m.]

[Amendment 100]

#### PART 804—INDIVIDUAL LICENSES

##### GENERAL PROVISIONS

Section 804.1 *General provisions* is hereby amended by adding the following new paragraph:

(g) No application for an individual license shall be made unless and until the applicant has a firm order for the commodities covered by the application from the purchaser stated in such application.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

DECEMBER 31, 1942.

[F. R. Doc. 43-241; Filed, January 5, 1943; 9:59 a. m.]

[Amendment 101]

#### PART 801—GENERAL REGULATIONS

##### EXPORTATION OF CERTAIN OFFICE SUPPLIES AND TEXTILE PRODUCTS

Section 801.2 *Prohibited exportations* is amended in the following particulars: In the column headed "Gen. Lic. Group" the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	Dept. of Comm. no.	Gen. lic. group
Miscellaneous office supplies: Type-writer ribbons.....	6395	O
Textile products:		
Pyroxylin coated or impregnated fabrics.....	3915	O
Coated or impregnated fabrics, n. e. s.....	3917	O

This regulation shall not apply to licensed shipments of the above commodities which are at or in transit to the port of exit from the United States on the date this regulation becomes effective.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

DECEMBER 31, 1942.

[F. R. Doc. 43-242; Filed, January 5, 1943; 10:00 a. m.]

[Amendment 102]

#### PART 808—PROCEDURE TO SECURE SHIPPING SPACE TO THE OTHER AMERICAN REPUBLICS

The effective date of Amendment No. LXXVIII is hereby revised to read as follows:

This amendment shall be come effective December 10, 1942 except as to shipments for which a definite booking for shipment from the United States has been made prior to December 10, 1942.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-243; Filed, January 5, 1943; 10:00 a. m.]

[Amendment 103]

#### PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

##### MULTIPLE CONSIGNEES

Paragraph (f) of § 808.6 *Application procedure* is hereby amended to read as follows:

(f) *Certain commodities; multiple consignees*. Applications for freight space covering any of the commodities listed in subparagraph (5) of this paragraph may specify more than one consignee subject to the following conditions:

(1) All consignees named must be located at a single foreign port.

(2) The names and addresses of all the proposed consignees shall be listed and a copy thereof attached to each copy of the application submitted (such list is a part of the application). This list shall be typewritten in a vertical column and shall not bear evidence of erasure or alteration when presented to the Office of Exports.

(3) One or more of the proposed consignees may be rejected, the quantity reduced, or both, by the Office of Exports by noting the same thereon.

(4) Only commodities to which a single description and Department of Com-



merce Schedule "B" number applies may be included in a single application.

(5) List of commodities:

Dept. of Comm. No.	Commodity
1041.00	Oats (bu. 32 lbs.).
1057.00	Rice, milled, including brown, broken, rice and rice screenings.
1073.00	Wheat flour, wholly of U. S. wheat (bbl. 196 lbs.).
1074.00	Wheat flour, other (bbl. 196 lbs.).
5724.00	Salt.
8365.00	Sodium carbonate, calcined (soda ash).
8373.00	Sodium hydroxide (caustic soda).
8710.00	Soap, medicated.
8712.00	Soap, toilet or fancy.
8713.00	Soap, laundry.
8716.00	Soap, powdered or flaked.
8729.00	Soap, n. e. s.

The shipper is authorized to divide the approved quantity among the approved consignees as he may elect.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-244; Filed, January 5, 1943; 10:00 a. m.]

[Amendment 104]

PART 801—GENERAL REGULATIONS

EXPORTATION OF CERTAIN CANNED VEGETABLES

Section 801.2 *Prohibited exportations* is amended in the following particulars: In the column headed "Gen. Lic. Group" the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	Dept. of Comm. No.	Gen. Lic. Group
VEGETABLES AND PREPARATIONS		
Baked beans, and pork and beans, canned.....	1242	C
Beets, canned.....	1249	C
Carrots, canned.....	1249	C
Pumpkins, canned.....	1249	C
Soups, canned.....	1245	C
Spinach, canned.....	1249	C

This regulation shall not apply to licensed shipments of the above commodities which are at, or in transit to the port of exit from the United States on the date this regulation is published in the FEDERAL REGISTER.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-245; Filed, January 5, 1943; 10:00 a. m.]

[Amendment 105]

PART 809—SHIPPING PRIORITY RATINGS

CERTAIN FODDERS AND FEEDS

Paragraph (a) of § 809.6 *Ratings assigned articles and materials under general license* is hereby amended by the assignment of the following new shipping ratings to the following listed commodities:

Schedule "B" No.	Commodity	Shipping rating
	Fodders and Feeds:	
1101.00	Hay.....	B
1115.00	Cottonseed cake.....	B
1116.00	Linseed cake.....	B
1119.00	Oil cake, n. e. s.....	B
1121.00	Cottonseed meal.....	B
1122.00	Linseed meal.....	B
1123.00	Babassu cake and meal.....	B
1124.00	Soybean oil-cake meal.....	B
1119.00	Hempseed oil cake and meal.....	B
1129.00	Coconut oil cake and meal.....	B
1129.00	Oil-cake meal, n. e. s.....	B
1140.00	Fish meal for feed.....	B
1180.00	Dairy and poultry feeds, mixed (include calf manna).....	B
1182.00	Oyster shells.....	B
1185.00	Feeds, prepared and mixed, (include dried butter-milk), n. e. s.....	B
1187.00	Rolled barley for feed.....	B
1190.00	Wheat feeds, bran, middlings, etc.....	B
1199.00	Feeds, n. e. s. (include apple pomace).....	B

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-246; Filed, January 5, 1943; 10:01 a. m.]

[Amendment 106]

PART 801—GENERAL REGULATIONS

EXPORTATION OF SULPHUR

Section 801.2 *Prohibited exportations* is amended in the following particulars: In the column headed "Gen. Lic. Group" the group designations assigned to the commodities listed below are amended to read as follows:

Commodity	Dept. of Comm. No.	Gen. Lic. group
Chemicals:		
Sulphur (crude).....	5714	K
Sulphur (crushed, ground, refined, sublimed, flowers).....	5715	K

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

JANUARY 2, 1943.

[F. R. Doc. 43-247; Filed, January 5, 1943; 10:01 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1068—CANS

[Amendment 1 to Conservation Order M-81 as Amended Dec. 9, 1942]

Section 1068.1 *Conservation Order M-81* is hereby amended in the following particulars:

1. The items in Schedule I, hereinafter listed, are amended to read as follows:

17 F.R. 10321.

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
24. Fresh shelled beans, including lima beans.	Unlimited.....	2-2 1/4-10.....	1.25 tin*	1.25 tin**.
27. Corn, fresh, sweet, cut.....	Unlimited.....	2-10-2 vacuum (307 x 306) for vacuum pack.	1.25 tin*	1.25 tin**.
28. Peas, green.....	Unlimited.....	2-10-2 vacuum (307 x 306) for vacuum pack.	1.25 tin*	1.25 tin**.
52. Salmon.....	Unlimited.....	1/2 flat (307 x 200.25) (307 x 201.25)—1 flat (401 x 210.5) (401 x 211) 1 tall (301 x 411).	1.25 tin.....	1.25 tin*.

2. Schedule I is amended by the addition of the following subdivision and item:

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
FISH AND SHELLFISH (For refrigerated shipment, fresh)				
59. Oysters. Until April 30, 1943.....	Unlimited.....	1 gal.....	CTB	CTB



3. Schedule II is hereby amended by the addition of the following item:

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
22. Baking powder. Until June 30, 1943.	That number of cans sufficient to pack 50% of poundage packed in 32-oz. or smaller cans during calendar year 1942.	6-oz. to 32-oz., inclusive.	Fiber.....	Blackplate (limited to rejects and frozen inventories only).

4. Item 22 of Schedule III is amended to read as follows:

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
22. Lye. Until June 30, 1943.....	50% 1942.....	13 oz. ....	Blackplate.....	Blackplate.

5. Schedule III is amended by the addition of the following items:

Product	Packing quota	Can sizes	Can materials	
			Body	Ends
22a. Drain Cleaners. Until June 30, 1943.	50% 1942.....	12 oz. ....	Blackplate.....	Blackplate.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-223; Filed, January 4, 1943;  
4:55 p. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-152, Amendment 1]

#### STAR PLUMBING SUPPLY COMPANY

Paragraph (c) of § 1010.152 *Suspension Order No. S-152* issued November 30, 1942 is hereby amended to read as follows:

(c) Harry Gitterman, Sidney Gitterman, and Louis Gitterman, individually or doing business as the Star Plumbing Supply Company, their or its successors and assigns, are hereby prohibited from accepting deliveries of receiving, delivering, selling, transferring, trading, or dealing in any new metal plumbing or heating equipment as defined in Limitation Order L-79, except as specifically authorized by the Regional Compliance Chief, War Production Board, Philadelphia, Pennsylvania.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 4th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-222; Filed, January 4, 1943;  
4:55 p. m.]

#### PART 3034—MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT STORAGE BATTERIES FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS, MEDIUM AND HEAVY TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L-180 as Amended Jan. 5, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3034.1 *Limitation Order L-180—(a) Certain orders hereby superseded.* This order, Limitation Order L-180, supersedes Supplementary Limitation Order L-4-b, issued April 25, 1942, and Limitation Order L-35, issued January 22, 1942, as amended.

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1 (Part 944), schedule production of automotive replacement storage batteries without regard to purchase orders or

contracts placed with them for other materials on ratings lower than A-2.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis thereof.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis thereof.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis thereof.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means any electric storage battery which has been completely assembled and sealed, whether uncharged or charged, and which is designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck tractor, truck trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.



(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries for sale.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment, or held for the account of the owner thereof in any other name, manner or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks.* (1) On and after August 29, 1942, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single insulation and only in the following minimum ampere hour capacities:

AABM	SAE	Minimum ampere hour capacity 20 hour rate 80° F.
Group	Group	
I.....	IM.....	80
II.....	IH.....	90
III.....	.....	100
IS.....	2L.....	90
IS.....	2ME.....	100
(E-116) (IIE-125).....	.....	110
IHF (Ford).....	(2M-105) (2H-116).....	100
(II-115).....	3L.....	110
IIS.....	3M (3H-133).....	120
III.....	(Special 12 Volt).....	45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE, a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) *Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

	Ampere hour capacity 20-hour rate 80° F.		Volts	Container sizes					
				Long		Wide		High	
	Mini- mum	Maxi- mum		Mini- mum	Maxi- mum	Mini- mum	Maxi- mum	Mini- mum	Maxi- mum
For batteries with double insulation									
Size A.....	155	165	6	16	16½	7½	7¾	9¼	11
Size B.....	195	220	6	19½	20½	7½	7¾	9¼	11
Size C.....	235	245	6	22½	23½	7½	7¾	9¼	11
Size D.....	385	395	6	21½	22	10¼	10¾	12	12½
Size E.....	95	105	12	17½	18	7½	8	9¼	11
Size F.....	95	105	12	19½	21½	7½	7¾	9¼	11
Size G.....	115	125	12	20½	21½	8½	9	9¼	11
Size H.....	135	145	12	20½	21½	9	10	9¼	11
Size I.....	155	165	12	20½	21½	10¼	11¾	9¼	11
For batteries with single insulation									
Size J.....	195	205	6	16	16½	6¾	7½	9	10¾
Size K.....	335	345	6	25	25½	7½	7¾	9¼	11¼
Size L.....	140	155	12	20½	21½	8½	9	9¼	11
Size M.....	150	170	12	20½	21½	9	10	9¼	11
Size N.....	180	205	12	20½	21½	10¼	11¾	9¼	11

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in sub-paragraph (1) of this paragraph (e) only from materials on hand on August 29, 1942, provided:

(i) No additional material is required;

(ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in sub-paragraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods specified in paragraph (f) below.

(f) *Restrictions on production of replacement batteries for passenger automobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.*

(1) No producer shall, during any calendar quarter of 1943, manufacture automotive replacement storage batteries in excess of the number (hereinafter referred to as "quota") obtained by multiplying the percentage shown below for that calendar quarter of 1943 by the total number of such batteries sold by him during the calendar year 1941:

Calendar Quarter of 1943:	Percentage of 1941 sales
January 1 to March 31.....	22½
April 1 to June 30.....	22½
July 1 to September 30.....	30
October 1 to December 31.....	25

(2) Notwithstanding subparagraph (1) of this paragraph (f), a producer may, in addition to the quotas permitted thereby,

(i) Manufacture during the second, third and fourth calendar quarters of 1943 that number of replacement batteries by which he failed to reach his full quota during the next preceding calendar quarter provided that this additional production does not exceed 5% of the number of replacement batteries sold by him during the calendar year 1941; and, in addition,

(ii) Manufacture during the first, second and third calendar quarters of 1943 not in excess of 5% of the number of such batteries sold by him during the calendar year 1941; provided he deducts such number from his quota for the next succeeding calendar quarter of 1943,

and *Provided further*, That in no event shall any producer manufacture during the calendar year 1943 a number of such replacement batteries in excess of 100% of the number of such batteries which he sold during the calendar year 1941.

(g) *Restrictions on inventories of producers of automotive replacement batteries.*

(1) No producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraphs (c) (8) and (9) above, in excess of one third of the number of batteries sold by him during the calendar year 1941.

(h) *General restrictions.*—(1) *Certificate of compliance required.* No distributor shall order and no distributor or producer shall deliver replacement bat-



teries to a distributor unless each order (or written confirmation thereof, if such order is placed by telephone or telegraph) is accompanied by a certificate in the following form:

*Certificate of Compliance with Order L-180*

The quantity of replacement batteries on the attached purchase order does not exceed the quantity which I am entitled to order under the provisions of Limitation Order L-180, with the terms of which I am familiar.

(Signed) \_\_\_\_\_  
Firm, partnership or corporation  
By \_\_\_\_\_  
Title of individual  
Address of firm, partnership or corporation

A copy of each such certificate must be retained by the seller as part of his records.

(2) *Return of used batteries.* On and after August 29, 1942, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (2) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(3) *Consumer's certificate.* Notwithstanding the provisions of paragraph (h) (2) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor, provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

*Consumer's Certificate*

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery, which to the best of my knowledge, cannot be economically reconditioned; and (c) I will within thirty (30) days after receiving the replacement battery here ordered, dispose of through scrap channels, a used automotive battery of similar size for each replacement battery delivered to me

(Signed) \_\_\_\_\_  
Vehicle owner or operator  
(Address) \_\_\_\_\_

A copy of each such certificate must be retained by the producer or distributor as part of his records.

(i) *General restrictions on inventories.*

(1) No distributor shall accept delivery of any replacement batteries and/or rebuilt batteries, which in combination with his existing inventory will aggregate more than a ninety (90) day supply. In any month a ninety (90) day supply means the aggregate number of replacement batteries and rebuilt bat-

teries sold during the corresponding month in 1942 plus the number sold in the next two (2) succeeding months in 1942.

(2) No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels.

(3) *The provisions of this paragraph (i) shall not apply to distributors located in Alaska, Hawaii, Panama Canal Zone, Puerto Rico or the Virgin Islands.*

(j) *Exceptions to applicability of this order.* The limitations and prohibitions contained in this order shall not be applicable to the manufacture, sale or delivery of replacement batteries under contract or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(k) *Records.* Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

On or before February 15, 1943, each producer shall file with the Automotive Division of the War Production Board, Form PD-766 reporting total shipments of automotive replacement storage batteries for the years 1941 and 1942. On or before the 15th day of April, July, and October, 1943 and the 15th day of January 1944, each producer shall file Form PD-765 reporting its shipments of auto-

motive replacement storage batteries during the preceding calendar quarter.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(o) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal by letter to the War Production Board, Automotive Division, Ref: L-180, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C., Ref.: L-180.

(q) [Revoked January 5, 1943.]

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-226; Filed, January 5, 1943; 10:39 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 137, Amendment 17]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

In § 1340.91 a new paragraph (j) is added, as set forth below:

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* \* \* \*

(j) In Quincy, Illinois, the maximum prices of regular and premium grade gasoline sold at retail establishments determined under § 1340.91 (a) (1) and (2) may be increased by not more than 1.5 cents a gallon.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10624, 11008.



§ 1340.93a *Effective dates of amendments.* \* \* \*

(r) Amendment No. 17 (§ 1340.91 (j)) to Maximum Price Regulation No. 137 shall become effective January 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-194; Filed, January 4, 1943;  
4:16 p. m.]

#### PART 1340—FUEL

[MPR 137,<sup>1</sup> Amendment 18]

##### PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

In § 1340.91 a new paragraph (k) is added as set forth below:

§ 1340.91 *Appendix A: Maximum prices for petroleum products sold at retail establishments.* \* \* \*

(k) Within the corporate limits of New York City, New York, the maximum prices for sellers at retail establishments of kerosene, No. 1 fuel oil, range oil, also known as stove oil, shall be 13.7 cents per gallon.

§ 1340.93a *Effective dates of amendments.* \* \* \*

(s) Amendment No. 18 (§ 1340.91 (k)) to Maximum Price Regulation No. 137 shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-195; Filed, January 4, 1943;  
4:18 p. m.]

#### PART 1340—FUEL

[RPS 88,<sup>2</sup> Amendment 56]

##### PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

The § 1340.159 (c) (1) (x), with the title, *Northwestern Ohio and Northeastern Indiana. Lime Oil Field*, is redesignated § 1340.159 (c) (1) (xi); in § 1340.159 (c) (2), the table, Maximum

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075.

<sup>2</sup> 7 F.R. 1107, 1371, 1798, 1799, 2132, 2304, 2352, 2634, 2945, 3116, 3166, 3462, 3524, 3552, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5983, 6057, 6167, 6680, 7242, 7838, 8433, 8478, 8586, 8701, 8741, 8829, 8938, 8948, 9130, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684.

Tank Wagon Prices, and § 1340.162 are amended to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* \* \* \*

(c) *Specific prices.* \* \* \*  
(2) *Gasoline.* \* \* \*

#### MAXIMUM TANK WAGON PRICES, EXCLUDING TAXES

(In cents per gallon)

Tank wagon area	Third grade		Regular grade		Premium grade	
	Dealer	Consumer or commercial	Dealer	Consumer or commercial	Dealer	Consumer or commercial
<b>IOWA</b>						
Des Moines	9.4	10.4	9.9	11.4	11.4	13.4
<b>ILLINOIS</b>						
Quincy			9.4	10.9	10.9	
<b>OHIO</b>						
Geneva	9.5	12	9.5	12	11	14
<b>WISCONSIN</b>						
Lodi	10.1	11.1	10.6	12.1	12.1	14.1
Madison	9.9	10.9	10.4	11.9	11.9	13.9
Mazomanie	9.9	10.9	10.4	11.9	11.9	13.9
Sauk City	10.1	11.1	10.6	12.1	12.1	14.1
Stoughton	9.9	10.9	10.4	11.9	11.9	13.9
Sun Prairie	10.1	11.1	10.6	12.1	12.1	14.1
<b>ARKANSAS</b>						
Fort Smith	6.25	6.25	9	9		
Little Rock	7	7	9.5	9.5		
Texarkana	7.5	7.5	9	9		
<b>NEW MEXICO</b>						
Roswell	9	9	10	10		
<b>NORTH DAKOTA</b>						
Fargo			11.4			
<b>MONTANA</b>						
Billings	11	11	12	12		
Butte	10.5	10.5	11.5	11.5		
Great Falls	11	11	12	12		
Helena	11	11	12	12		
<b>OKLAHOMA</b>						
Muskogee	6.75	6.75	7.75	7.75		
Oklahoma City	7	7	8	8		
Tulsa	7	7	8	8		
<b>WYOMING</b>						
Cheyenne	9	9	10	10		

§ 1340.162 *Notice to purchasers.* (1) All sellers of kerosene, No. 1 fuel oil, gasoline, distillate Diesel fuel oil or range oil in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia and in the corporate limits of Bristol, Tennessee, shall inform all persons purchasing such products from them for resale at service stations or other retail establishments in those areas that such purchasers may increase their maximum prices for those products in the amounts, if any, by which the Office of Price Administration permitted the prices of such products to them to be increased effective as of June 29, 1942, and

that such purchasers are required to state in connection with the posting of their maximum prices that such increases are approved by the Office of Price Administration.

(2) All sellers of gasoline to retail dealers in Quincy, Illinois, shall notify each dealer in writing on or before the date of the initial sale to such dealer after January 9, 1943, that his maximum prices for regular and premium gasoline at his retail establishment has been increased by 1½ cents per gallon effective as of January 9, 1943. Such notice shall be in the following form: Your new OPA ceiling price for regular and premium grade gasoline at your retail establishments in Quincy, Illinois, is your former ceiling price plus 1½ cents per gallon. OPA requires you to keep this information for examination.

§ 1340.158a *Effective dates of amendments.* \* \* \*

(ddd) Amendment No. 56 (§§ 1340.159 (c) (2); 1340.162) to Revised Price Schedule No. 88 shall become effective January 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-196; Filed, January 4, 1943;  
4:16 p. m.]

#### PART 1340—FUEL

[RPS 88,<sup>1</sup> Amendment 57]

##### PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Sections 1340.159 (c) (3) (i) and 1340.159 (c) (6) (i) and (ii) are amended as set forth below. Section 1340.159 (c) (6) (vii) is revoked and the specific price established by that subdivision is included under § 1340.159 (c) (6) (ii) as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* \* \* \*

(c) *Specific prices.* \* \* \*

(3) *Distillate fuel oils.* (i) The maximum prices in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for the petroleum products listed below shall not be more than the respective amounts per gallon indicated below in excess of the maximum price that would otherwise govern under paragraphs (b) (1) to (3) inclusive and (b) (7) of this section:

<sup>1</sup> 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6067, 6471, 6630, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460.



Product	Cents per gallon
All distillate and distillate type fuel oils having a viscosity below 85 seconds Saybolt Universal (at 100° F.) including but not limited to the following: Tractor fuel, gas house oils, distillate Diesel fuel oils, Nos. 2, 3, and 4 fuel oils, kerosene, range oil, No. 1 fuel oil, Standard light gas oil, gas house standard light gas oil, and Mirando and Mirando type crude oil when sold as No. 4 fuel oil or other distillate fuel oil use.	1.5

(6) *Residual fuel oils.* (i) The maximum price in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for all residual and residual type fuel oils having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above, including but not limited to Nos. 5 and 6 fuel oils, Bunker C, Navy Grade, residual Diesel fuel oils, residuum gas oil, heavy gas oil, heavy gas enrichment oil, gas house heavy fuel oil, N. E. gas enrichment oil, S. W. gas oil, Admiralty fuel oil, Navy Special fuel oil, Mirando and Mirando type crude when sold as No. 5, or other residual fuel oil, or as a heavy gas enrichment oil shall be not more than 30 cents per barrel in excess of the maximum prices that would otherwise govern under § 1340.159 (b) (1) to (3) and (b) (7) except that at the points named in (ii) below the prices there specified shall be the maximum prices. Sellers who charged the increases in price authorized by Amendments Nos. 4, 10 and 27 to Revised Price Schedule No. 88 on their sales of residual fuel oil as defined in this paragraph during the March 26, 1942 to January 9, 1943 period shall not be deemed to have exceeded their maximum prices because of such additional charges.

(ii) *Maximum prices for Bunker C and No. 6 fuel oils on the East and Gulf Coasts in cargo and barge lots f. o. b. refineries and terminals (ex lighterage) and ships' bunkers; also in motor transport and tank car lots where motor transports and tank cars are used as a substitute means of transportation for tankers and barges.*

Location of refineries or terminals:	Maximum price per barrel
Portland, Maine	\$1.65
Portsmouth, N. H.	1.65
Boston, Mass.	1.65
Fall River, Mass.	1.65
Tiverton, R. I.	1.65
Providence, R. I.	1.65
New Haven, Conn.	1.65
Albany, N. Y.	1.85
New York, N. Y.	1.65
Philadelphia, Pa.	1.65
Baltimore, Md.	1.65
Norfolk, Va.	1.65
Wilmington, N. C.	1.65
Charleston, S. C.	1.60
Savannah, Ga.	1.60
Jacksonville, Fla.	1.60
Miami, Fla.	1.60
Tampa, Fla.	1.50
Pensacola, Fla.	1.15

Location of refineries or terminals—	Maximum price per barrel
Continued.	
Mobile, Ala.	\$1.10
Texas and Louisiana Gulf Coast ports including Mississippi River ports up to and including Baton Rouge.	.85

§ 1340.158a *Effective dates of amendments.* \* \* \*

(eee) Amendment No. 57 (§§ 1340.159 (c) (3) (i); 1340.159 (c) (6) (i) and (ii)) to Revised Price Schedule No. 88 shall become effective January 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9252, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-197; Filed, January 4, 1943; 4:22 p. m.]

#### PART 1340—FUEL

[RPS 88, Amendment 58]

##### PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

In § 1340.159 (c) (3) a new subdivision (xii) is added as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* \* \* \*

(c) *Specific prices.* \* \* \*

(3) *Distillate fuel oils.* \* \* \*

(xii) *New York City, New York.*

Within the corporate limits of New York City, New York, maximum prices for kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be as follows:

	Cents per gallon
F. o. b. terminals in bulk lots for delivery by barge.	6.7
F. o. b. terminals in bulk lots for delivery by tank car or motor transport.	6.8
At the seller's yard for delivery into buyer's tank wagons in the Boroughs of Manhattan, the Bronx, Queens and Brooklyn.	7.1
At the seller's yard for delivery into buyer's tank wagons in the Borough of Richmond.	7.0
Tank wagon deliveries to resellers in quantities of 25 gallons or over.	9.2
Tank wagon deliveries to consumers in quantities of 25 gallons or over.	9.7
Tank wagon deliveries in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons.	12.2

§ 1340.158a *Effective dates of amendments.* \* \* \*

(fff) Amendment No. 58 (§ 1340.159 (c) (3) (xii)) to Revised Price Schedule

\*Copies may be obtained from the Office of Production Administration.

17 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6067, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 10684, 11069, 11112, 11075.

No. 88 shall become effective January 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-198; Filed, January 4, 1943; 4:19 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271, Amendment 2]

##### CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

In paragraph (a) of § 1351.1002 subparagraph (1) is amended and a new subparagraph (3) is added; in paragraph (b) of § 1351.1002 a new subparagraph (6) is added; in § 1351.1016a, a new paragraph (b) is added; in § 1351.1017, a table for "Early white potatoes" is added as set forth below:

§ 1351.1002 *How a country shipper establishes his maximum price for a perishable food commodity, as set forth in Appendix A.* \* \* \*

(a) \* \* \*

(1) For each hundred pounds of each variety of U. S. No. 1 grade of white potatoes harvested prior to December 1, 1942, in bags, on board car or other common carrier, the maximum price shall be the amount set forth as the maximum price for the month of sale and the area in which such white potatoes were produced, listed in the table, entitled "White potatoes", in Appendix A hereof. Differentials listed in paragraph (b) hereof shall be applicable to white potatoes harvested prior to December 1, 1942.

(3) For each hundred pounds of early white potatoes, in bags or other container, on board car or any other common carrier, the maximum price shall be the amount set forth as the maximum price for the month of sale and the area in which such early white potatoes were produced, listed in the table, entitled "Early white potatoes", in Appendix A hereof. The differentials listed in paragraph (b), subparagraphs (1), (2), (3), (4) of this section shall not be applicable to the maximum prices listed in Appendix A for early white potatoes. Early white potatoes means white potatoes harvested after December 1, 1942, and sold during the months listed in Appendix A, in the table entitled "Early white potatoes."

(b) \* \* \*

(6) *Early white potatoes:*

(i) For early white potatoes sold either in bulk or in containers furnished by the purchaser, the country shipper shall sub-

17 F.R. 9179, 10715.



tract 15¢ per hundred pounds from the maximum prices listed in Appendix A.

§ 1351.1016a *Effective dates of amendments.* \* \* \*

(b) Amendment No. 2 (§§ 1351.1001 to 1351.1017) shall become effective January 4, 1943.

§ 1351.1017 *Appendix A: Maximum prices for perishable food f. o. b. shipping point.* \* \* \*

EARLY WHITE POTATOES<sup>1</sup>

[Maximum price per 100 pounds<sup>2</sup>]

State	Producing area	Varieties	Maximum price	Period during which maximum price is effective
8. ATLANTIC				
Florida.....	Counties of Charlotte, Glades, Martin and all counties south thereof.	All.....	\$3.65	Jan. 4, 1943 through Mar. 31, 1943.
SOUTHERN CENTRAL				
Texas.....	Counties of Zapata, Jim Hogg, Brooks, Kennedy and all counties south thereof.	All.....	\$3.65	Jan. 4, 1943 through Mar. 31, 1943.

<sup>1</sup> The maximum prices listed above shall apply only to "Early white potatoes" harvested after December 1, 1942 and sold during the periods set forth.

<sup>2</sup> These prices are subject to the following differential: For early white potatoes sold either in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15¢ per 100 lbs. from the maximum price listed above.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

Approved:

CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 43-199; Filed, January 4, 1943; 4:22 p. m.]

PART 1361—FARM EQUIPMENT

[MPR 133, Amendment 3]

RETAIL PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1361.1 paragraph (a) is amended; § 1361.2 is amended; in § 1361.3, the text of paragraph (a) and subparagraphs (2) and (3) and footnote 4 of paragraph (a) are amended, paragraphs (b), (c) and (d) are amended, and paragraph (e) is revoked; a new § 1361.3a is added; § 1361.4 is amended; in § 1361.5, paragraph (a) is amended and paragraph (b) is added; in § 1361.6 paragraph (a) is added; in § 1361.9, subparagraphs (3), and (6) and (8) of paragraph (a) are amended and a new subparagraph (9) is added; and a new § 1361.11 is added, all as set forth below:

§ 1361.1 *Prohibition against sales at higher than maximum prices.* (a) On and after May 11, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver, and no person shall in the course of busi-

ness buy or receive, any farm equipment at prices higher than the maximum prices established by this Maximum Price Regulation No. 133; and no person shall offer or attempt to do any of the foregoing.

§ 1361.2 *Less than maximum prices.* Lower prices than those established in this Maximum Price Regulation No. 133 may be charged, demanded, paid or offered.

§ 1361.3 *Maximum prices—new equipment—(a) New complete equipment with suggested retail prices.*—The maximum price applicable to the sale by any retail dealer of any new complete farm equipment for which the manufacturer has issued a suggested retail price shall be the sum of the following:

(2) An allowance for transportation calculated on the basis of the average combined freight rate per hundredweight paid by the dealer for shipment from factory to dealer of complete farm equipment of the same general type: "Pro-

\* Where shipments of complete farm equipment of the same general type have been received by rail or by truck from the same factory in the 3-month period immediately preceding the month in which the sale occurs, the "average combined freight rate per hundredweight" shall be the average rate

vided, That where shipments are customarily made via branch or transfer point, this allowance shall not exceed carload freight from factory to branch or transfer point, less any freight allowance or rebate received by the dealer, plus actual less-than-carload freight from branch or transfer point to dealer, the branch or transfer point selected being that from which the dealer has received the greatest dollar value of less than carload shipments of complete equipment of the same make during the preceding six months.

(3) The manufacturer's or wholesale distributor's handling charge paid by the dealer if not included in the manufacturer's or wholesale distributor's charge for freight.

(b) *New parts with suggested retail prices.* The maximum price applicable to the sale by any retail dealer of any new farm equipment part for which the manufacturer has issued a suggested retail price shall be the suggested retail price plus actual freight cost from factory to dealer less any freight allowance or rebate received by the dealer, plus the manufacturer's or wholesale distributor's handling charge paid by the dealer if not included in the manufacturer's or wholesale distributor's charge for freight, plus any extra expense in connection with the sale, such as long distance telephone calls, incurred at the request of the purchaser.

(c) *New complete equipment and parts without suggested retail prices—*

(1) *In general.* The maximum price applicable to the sale by any retail dealer of any new complete farm equipment or part for which the manufacturer has not issued a suggested retail price shall be the net price at which such item was sold or offered for sale on April 1, 1942 (including all extra charges, but not including any sales, use or gross receipts tax). If such item was not sold or offered for sale on April 1, 1942, the maximum price shall be the net cost of the item to the dealer plus either (i) a percentage markup equal to the percentage markup over net invoiced cost on the last previous sale of the same item; or (ii) if the item was never before sold or offered for sale, a percentage markup equal to the percentage markup over net invoiced cost on the last sale in the fifteen months preceding April 1, 1942, of the most nearly comparable equipment or part sold by the dealer during that period; or (iii) if no comparable equipment or part was sold during the fifteen months preceding April 1, 1942, a percentage markup equal to the average percentage markup over net invoiced

for the preceding 3-month period, after deduction of any freight allowances or rebates received by the dealer. When there have been no shipments of equipment of the same general type in the preceding 3-month period, the "average combined freight rate per hundredweight" shall be the average rate for the current month, up to the date of the sale in question. For the purposes of this paragraph, all farm equipment which is classified in any one l. c. l. freight class may be considered as of the same general type.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 3185, 6936, 7599, 8948.



cost on all farm equipment sold by the dealer between March 1 and April 1, 1942, inclusive.

(2) *Adjustment where price to dealer was changed prior to April 1, 1942.* Notwithstanding the provisions of subparagraph (1), if for any new complete farm equipment or part for which the manufacturer has not issued a suggested retail price a retail dealer had a price in effect on April 1, 1942 which was established at a time when the manufacturer's or wholesaler's price to him was lower than that in effect on April 1, 1942, the maximum price applicable to the sale of the item by such dealer shall be the dealer's net price in effect on April 1, 1942, plus a percentage increase equal to the percentage increase in the manufacturer's or wholesaler's price to him made prior to April 1, 1942.

(3) *Adjustment where price to dealer changed pursuant to Maximum Price Regulation No. 246.* Notwithstanding the provisions of subparagraph (1), if for any new complete equipment or part for which the manufacturer has not issued a suggested retail price the manufacturer's or wholesaler's price to any retail dealer has been increased since April 1, 1942 in accordance with the provisions of Maximum Price Regulation No. 246 or of any other maximum price regulation, the maximum price applicable to the sale of the item by the dealer shall be the dealer's price in effect on April 1, 1942, plus a percentage increase equal to the percentage increase in the manufacturer's or wholesaler's price to him made since April 1, 1942 in accordance with the provisions of Maximum Price Regulation No. 246 or such other regulation.

(d) *Sales by manufacturers.* Notwithstanding any other provisions of this Maximum Price Regulation No. 133, for any item of farm equipment which the manufacturer thereof sells exclusively at retail, his maximum price shall be determined pursuant to Maximum Price Regulation No. 246—Manufacturers' and Wholesale Prices for Farm Equipment; for any item of farm equipment which the manufacturer sells both to distributors and dealers and at retail but for which he has not issued a suggested retail price, his maximum price for all sales of the item shall be determined pursuant to Maximum Price Regulation No. 246; for any item which the manufacturer sells both to distributors and dealers and at retail, and for which he has issued a suggested retail price, his maximum price for sales at retail shall be determined pursuant to this Maximum Price Regulation No. 133.

§ 1361.3a *Maximum prices—used equipment—(a) Base price.* In determining the maximum price for any of the following items of used farm equipment, a "base price" must first be calculated:

Farm tractors (except crawler tractors)  
Combines  
Corn pickers  
Corn binders  
Hay balers (motor or tractor operated)

The "base price" is the first of the following which is available:

(1) The manufacturer's suggested retail price for the same item of equipment f. o. b. factory which is currently in effect or if there is no such price currently in effect, the manufacturer's suggested retail price last issued; or

(2) If the item of equipment has no manufacturer's current suggested retail price and never had any, the maximum price for which the same or nearest equivalent item might be sold new by any dealer in the locality, minus carload freight from the plant of the manufacturer thereof.

(b) *Maximum prices—sales by farmers, auctioneers, etc.* The maximum price applicable to the sale by any person other than a retail dealer of any item of used farm equipment listed in paragraph (a) of this section shall be 85% of the "base price" if the item is sold within one year after sale new, and in any other case shall be 70% of the "base price". This paragraph does not apply to items of used farm equipment not listed in paragraph (a) of this section.

(c) *Maximum prices—sales by dealers—in general.* (1) In general, the maximum price applicable to the sale by any retail dealer of any item of used farm equipment including items listed in paragraph (a) of this section shall be the sum of

(i) The trade-in allowance granted or purchase price paid by the dealer, or, in the case of a repossessed item, the balance due to the dealer, distributor, manufacturer, or finance company;

(ii) \$15 or 5% of (i), whichever is the greater;

(iii) The maximum prices herein specified for such parts as are needed and used in repairing the equipment;

(iv) A charge for other materials and for labor needed and used in repairing the equipment, not to exceed maximum prices determined in accordance with the applicable maximum price regulations issued by the Office of Price Administration.

In no event, however, shall the price so calculated for any item of used farm equipment listed in paragraph (a) of this section exceed 85% of the "base price" if the item is sold within one year of its sale new, or 70% of the "base price" in any other case.

(2) In the case of a sale by a dealer of any item which has been transported more than 100 miles from the place of its purchase, there may be added to the price as calculated in subparagraph (1) above, the actual cost of transportation from the place of purchase to the dealer's place of business.

(d) *Maximum prices—sales by service dealers—reconditioned and guaranteed.*

(1) For any item of used farm equipment including items listed in paragraph (a) of this section which has been reconditioned by a service dealer and which has been guaranteed by such dealer in accordance with this paragraph (d), the maximum price applicable to the sale of

such item by the dealer to a user shall be the sum of:

(i) The trade-in allowance granted or purchase price paid by the dealer, or, in the case of a repossessed item, the balance due to the dealer, distributor, manufacturer, or finance company;

(ii) \$15 or 25% of (i), whichever is the greater;

(iii) The maximum prices herein specified for such parts as are needed and used in reconditioning the equipment;

(iv) A charge for other materials and for labor needed and used in reconditioning, not to exceed maximum prices determined in accordance with the applicable maximum price regulation issued by the Office of Price Administration.

In no event, however, shall the price so calculated for any item of used farm equipment listed in paragraph (a) of this section exceed 95% of the "base price".

(2) In the case of a sale by a service dealer of any item which has been transported more than 100 miles from the place of its purchase and has been reconditioned and guaranteed, there may be added to the price as calculated in subparagraph (1) above the actual cost of transportation from the place of purchase to the dealer's place of business.

(3) No item of farm equipment shall be sold at a price determined in accordance with this paragraph (d), unless all parts which should be replaced, repaired, adjusted, or aligned for satisfactory operation have been replaced, repaired, adjusted, or aligned and unless the dealer shall furnish the purchaser with a signed guarantee in the form set forth in Appendix A, § 1361.11, containing the information called for in such form.

§ 1361.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 133, shall not be evaded directly or indirectly by way of any commission; by way of excessive charges for services; by way of any change in discounts applicable to sales of items of farm equipment for which the manufacturer has issued no suggested retail price; by any change in credit terms or conditions of sale; by reducing the services provided during warranty period in accordance with factory policy; by reducing "free" services customarily provided; by removing any standard auxiliary equipment or in any other way lowering the quality of any equipment sold; by requiring the buyer to purchase any optional equipment, or to pay for any services not desired, or to agree to trade in used equipment in part payment of the purchase price; by refusing to sell equipment for cash; by making arrangements with other dealers for the exchange of used equipment so as to increase the profits obtainable from the resale of used equipment; by undervaluing goods other than farm equipment received in trade; or by any other hidden or indirect price increases.

§ 1361.5 *Itemized invoices—new equipment.* (a) In connection with every sale for \$15 or more of any item



of new complete farm equipment having a suggested retail price, every retail dealer shall supply to the purchaser a sales invoice or a copy of the purchase order signed by the dealer containing a separate statement of the following items:

- (1) The suggested retail price.
- (2) The charge for freight and manufacturer's or wholesale distributor's handling.
- (3) The charge for dealer's handling, or the charge for special installation, if any.
- (4) The charge for delivery beyond the thirty-mile zone, if any.
- (5) The amount of excise tax, if any, billed separately to the dealer by the manufacturer.

(6) The amount of sales, use, or gross receipts tax, if any, required or permitted to be paid.

(b) Upon request from a purchaser, every retail dealer, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, the name of each commodity sold and the price received for it.

#### § 1361.6 Records and reports. \* \* \*

(c) Notwithstanding the provisions of paragraph (a) of this section, any retail dealer may, instead of keeping for inspection by the Office of Price Administration records of each sale of any item of farm equipment selling for less than \$15, keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect the price lists or other data used by the dealer in establishing his maximum prices for such items.

§ 1361.9 Definitions. (a) When used in this Maximum Price Regulation No. 133, the term:

(3) "Farm equipment" means any equipment, attachment or part used primarily in connection with the production and farm processing for market and farm use of agricultural products, but does not include automobiles, trucks, general purpose tools, building materials, electrical equipment (except fence controllers) sprays or other chemicals, commercial processing machinery, livestock, seeds, feeds or any other agricultural products. A partial list of "farm equipment" follows: farm tractors (except crawler tractors); garden tractors; planting, seeding and fertilizing machinery; plows and listers; harrows, rollers, pulverizers, and stalk cutters; cultivators and weeders; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.); haying machinery (mowers, rakes, hayloaders, stackers, balers, etc.); dairy farm equipment (milking machines, farm milk coolers, farm cream separators, etc.); poultry farm equipment (incubators, brooders, feeders, waterers, etc.); bee-keepers' supplies; agricultural spraying equipment; barn and barnyard equipment; electric fence controllers; farm pumps and water systems; windmills; windmill generating

sets; farm grain elevators, grain bins, corn cribs and silos; circular wood-sawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay presses, peanut pickers, potato sorters and graders, syrup evaporators, etc.); buggies and farm wagons; harness and saddlery; portable galvanized irrigation pipe; wire fencing, poultry netting and barbed wire sold in lots of less than 2500 pounds; and attachments and parts for all the foregoing.

(6) "Used farm equipment" means any farm equipment which has previously been used.

(8) "Suggested retail price" means the price stated in the manufacturer's current list of suggested or recommended retail prices, f. o. b. factory, whether or not such list price is in the possession of the dealer. Prices issued by mail-order houses are not deemed to be "suggested retail prices"; as a result, maximum prices applicable to the sale of new equipment by mail-order houses, whether direct or through retail stores, shall be calculated in accordance with paragraph (c) or (d) of § 1361.3.

(9) "Service dealer" means any dealer who, in addition to selling new or used farm equipment, is engaged in the business of repairing and reconditioning farm equipment.

#### § 1361.11 Appendix A: Form of guarantee to be furnished buyer of reconditioned and guaranteed equipment.

##### GUARANTEE

The seller hereby warrants that the machine or equipment described below has been thoroughly inspected and reconditioned; that all parts which should be replaced, repaired, adjusted, or aligned for satisfactory operation have been so replaced, repaired, adjusted, or aligned.

The seller guarantees that the machine or equipment described below is in good operating condition, and that it will remain so under normal use and service for a period of thirty days from the date of delivery. During this thirty-day period the seller agrees to replace and install any defective or missing parts free of charge and to correct free of charge any mechanical condition which prevents the machine or equipment from operating satisfactorily.

This guarantee does not extend to tires or tubes or to any repair or replacements made necessary by misuse, negligence, accidents, or collision.

The seller warrants that the following parts, materials, and labor were needed and actually used in reconditioning the machine or equipment since its last use. This work was started \_\_\_\_\_ 194\_\_\_\_, and was completed \_\_\_\_\_, 194\_\_\_\_.

##### Parts

(1) -----	\$-----
(2) -----	\$-----
(3) -----	\$-----
(4) -----	\$-----
(5) -----	\$-----
(6) -----	\$-----
Total -----	\$-----

##### Materials

(1) -----	\$-----
(2) -----	\$-----
(3) -----	\$-----
(4) -----	\$-----
Total -----	\$-----

##### Labor

hours @ -----	\$-----
per hour: Total -----	\$-----
Total reconditioning -----	\$-----

The prices shown do not exceed the undersigned's applicable maximum prices for parts, materials, and services.

Make of equipment -----	\$-----
Date of delivery -----	\$-----
Model or part No. -----	\$-----
Total selling price \$-----	\$-----

(Signed) -----

(Address) -----

#### § 1361.10a Effective dates of amendments. \* \* \*

(c) Amendment No. 3 (§§ 1361.1 (a), 1361.2, 1361.3 (a) (2) (3), (b), (c), (d) and (e); 1361.3a; 1361.4; 1361.5 (a) and (b); 1361.6 (c); 1361.9 (a) (3) (6) (8) and (9); and 1361.11) to Maximum Price Regulation No. 133 shall become effective January 9, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-207; Filed, January 4, 1943;  
4:22 p. m.]

#### PART 1361—FARM EQUIPMENT

[MPR 246, Amendment 2]

#### MANUFACTURERS' AND WHOLESALE PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

The text of § 1361.55 is amended as set forth below:

§ 1361.55 Maximum prices; contracts with other manufacturers, mail-order companies, or government agencies. For any item of farm equipment for the supply of which a contract has been or is entered into subsequent to March 31, 1942, with a government agency, or with a person doing a mail-order or manufacturing business who has filed with the Office of Price Administration a statement that he will not in turn increase his price or request a price adjustment on the item because of a change in the price to him made in accordance with this section:

#### § 1361.69 Effective dates of amendments. \* \* \*

\*Copies may be obtained from the Office of Price Administration.

7 F.R. 8587, 8948, 9039.



(b) Amendment No. 2 (§ 1361.55) to Maximum Price Regulation No. 246 shall become effective January 9, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-208; Filed, January 4, 1943;  
4:15 p. m.]

#### PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[MPR 110, Amendment 6]

#### RESALE OF NEW HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.\*

The "Nash-Kelvinator Corporation, Leonard" table in § 1380.110 (a) (1) is amended to read as set forth below:

§ 1380.110 *Appendix A: Maximum prices for the resale of household mechanical refrigerators—(a) Maximum prices for sales to consumers—(1) Models having recommended retail prices.* \* \* \*

*Manufacturer:* Nash-Kelvinator Corporation.

*Brand:* Leonard.

#### 1941 MODELS\*\*

Model	1st zone	2d zone
LE-6-41.....	\$109.95	\$114.95
LSS-6-A.....	129.95	134.95
LDA-6-41.....	139.95	149.95
LS-6-41.....	149.95	159.95
LR-6-41.....	164.95	174.95
LPS-6-41.....	169.95	179.95
LH-6-41.....	189.95	199.95
LS-8-41.....	189.95	199.95
LH-8-41.....	229.95	239.95

\* The seller may add to prices on 1941 models the actual amount of the additional 4½% Federal Excise Tax if he paid the tax to his vendor.

\*\* The zones cover all 48 states.

#### 1942 MODELS

Model	1st Zone	2d Zone
LB-9-42.....	\$129.95	\$134.95
LSS-7-42.....	149.95	154.95
LDA-7-42.....	159.95	169.95
LS-7-42.....	174.95	184.95
LR-7-42.....	189.95	199.95
LH-7-42.....	219.95	229.95
LS-9-42.....	219.95	229.95
LH-9-42.....	259.95	269.95

§ 1380.112 *Effective dates of amendments.* \* \* \*

(f) Amendment No. 6 (§§ 1380.110 (a) (1); 1380.111) to Maximum Price Regulation No. 110 shall become effective January 9, 1943.

\*Copies may be obtained from the Office of Price Administration.

\* 7 F.R. 2311, 2543, 2761, 4107, 6052, 7175, 8948.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-209; Filed, January 4, 1942;  
4:16 p. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11, Amendment 21]

#### FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

A new paragraph (c) is added to § 1394.5723, and a new paragraph (u) is added to § 1394.5902, as set forth below:

#### Use of Coupons and Other Evidences

§ 1394.5723 *Exchange of coupons, other evidences, and delivery receipts.* \* \* \*

(c) Any dealer or supplier who has on hand as of 12:01 A. M. January 4, 1943 valid period "3" coupons may, within seventy-two (72) hours thereafter, deliver such coupons (together with the attached summary required by § 1394.5722) to any Board within the limitation area. The Board shall furnish him in return an exchange certificate or certificates equal in gallonage value to the value which the coupons delivered had prior to 12:01 A. M. January 4, 1943. The duplicate of such certificate shall be retained for the files of the Board.

#### Effective Date

§ 1394.5902 *Effective date of corrections and amendments.* \* \* \*

(u) Amendment No. 21 (§ 1394.5723) shall become effective 12:01 a. m. January 4, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 3d day of January, 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-210; Filed, January 4, 1943;  
4:23 p. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11, Amendment 2 to  
Supplement 1<sup>2</sup>]

#### FUEL OIL

Section 1394.9101 (a) (2) is amended to read as set forth below:

§ 1394.9101 *Designation of unit value in gallons of fuel oil.* (a) \* \* \*

<sup>1</sup> 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071.

<sup>2</sup> 7 F.R. 8708.

(2) The value of one unit represented by coupons numbered "3" on Class 1 coupon sheets, and the value of ten units represented by coupons numbered "3" on Class 2 coupon sheets are hereby fixed as:

(i) Nine (9) gallons and ninety (90) gallons, of fuel oil, respectively, in the states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida (east of the Apalachicola River), and in the District of Columbia; and

(ii) Eleven (11) gallons and one hundred and ten (110) gallons, of fuel oil, respectively, in the states of North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Michigan, Illinois, Indiana, Ohio, and Kentucky.

(b) *Effective dates.* \* \* \*

(3) Amendment No. 2 to Supplement No. 1 (§ 1394.9101) shall become effective 12:01 A. M. January 4, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89 and 507; Pub. Law 421; W.P.B. Directive No. 1, 7 F.R. 562, Supp. Directive No. 1-O, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 3d day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-211; Filed, January 4, 1943;  
4:18 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 204 Under § 1499.3 (b) of GMPR]

CLARK THREAD CO. AND J. & P. COATS (R. I.),  
INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, it is hereby ordered:

§ 1499.1440 *Maximum prices for certain sales of dyed cotton yarn and finished thread by The Clark Thread Company of Newark, N. J. and J. & P. Coats (R. I.), Inc., Pawtucket, R. I.* (a) The Clark Thread Company, Newark, N. J. and J. & P. Coats (R. I.), Inc., Pawtucket, R. I., may sell and deliver to one another dyed cotton yarn and finished thread of kinds, types, sizes, or styles not delivered or offered for delivery by them during March 1942 at prices no higher than those determined in accordance with (b) below.

(b) Maximum prices shall be determined by multiplying (1) the seller's "base cost" for the particular yarn or thread by (2) the ratio of the seller's actual costs for all products delivered during March 1942 to such "base cost" for such products. The term "base cost" means the fixed cost established by the seller on January 1, 1941, for cost-accounting purposes.



(c) The prices set forth in paragraph (b) of this section shall apply f. o. b. each seller's point of shipment.

(d) Each of the above-named sellers shall preserve, for as long as the Emergency Price Control Act of 1942 remains in effect, all records of or pertaining to its base costs.

(e) This Order No. 204 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 204 (§ 1499.1440) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-216; Filed, January 4, 1943;  
4:19 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 205 Under § 1499.3 (b) of GMPR]

BEACON PAINT WORKS, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1441 *Approval of maximum prices for Resin Fortifying Compound.*  
(a) On and after January 5, 1943 Beacon Paint Works, Inc., Jamaica Plain, Massachusetts, may sell and deliver Resin Fortifying Compound at a price not in excess of that hereinafter set forth:

\$1.28 per gallon, f. o. b. Jamaica Plain, Massachusetts; local delivery charges prepaid.

(b) The prices set forth above shall be subject to terms by the seller which are no less favorable than those which were in effect during March 1942, with respect to sales of comparable commodities.

(c) All prayers of the application not granted herein, are denied.

(d) This Order No. 205 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 205 (§ 1499.1441) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-217; Filed, January 4, 1943;  
4:15 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Correction to Order 139 Under § 1499.18 (b) of GMPR]

OSWEGO CANDY WORKS

Docket Number GF 3-2001 referred to in Order 139<sup>1</sup> under § 1499.18 (b) of the General Maximum Price Regulation, issued and effective December 13, 1942, is hereby corrected to read GF1-894-P.

<sup>1</sup> 7 F.R. 10706.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued the 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-219; Filed, January 4, 1943;  
4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 146 Under § 1499.18 (b) of GMPR]

J. B. WILLIAMS CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1407 *Adjustment of maximum price for sales of Talc for Men, Guest Size, by The J. B. Williams Company.*  
(a) The maximum price for sales by The J. B. Williams Company, Glastonbury, Connecticut, of Talc for Men, Guest (10 cent) Size, shall be \$0.75 per dozen.

(b) All discounts, allowances, and trade practices in effect with respect to sales of this product by The J. B. Williams Company during March, 1942, shall remain in effect under this Order No. 146, except that The J. B. Williams Company shall not be required to continue special deals or bonus offers with respect to such sales.

(c) At the time of the first delivery of this product to each purchaser at a price determined under this Order No. 146, The J. B. Williams Company shall give to such purchaser a notice reading as follows:

The Office of Price Administration is permitting us to discontinue our bonus offer on Talc for Men, Guest Size. This permission was granted us with the understanding that wholesale and retail prices would not be raised thereby. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of Talc for Men, Guest Size.

(d) All prayers of the applicant not granted herein are denied.

(e) This Order No. 146 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 146 (§ 1499.1407) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 146 (§ 1499.1407) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-213; Filed, January 4, 1943;  
4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 203 Under § 1499.3 (b) of GMPR]

RESINOUS PRODUCTS AND CHEMICAL CO.

For reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1439 *Approval of maximum prices for sales of Amberol 926 by the Resinous Products and Chemical Company.* (a) The Resinous Products and Chemical Company of Philadelphia, Pennsylvania, may sell and deliver, and any person may buy and receive from that company, the phenol resin referred to in the application for establishment of a maximum price under § 1499.3 (b) of the General Maximum Price Regulation heretofore filed by that company with the Office of Price Administration and sold by it under the name of Amberol 926, at prices no higher than the following, f. o. b. Philadelphia, Pennsylvania, minimum transportation charges allowed to destination on shipments of one barrel or more:

Maximum prices	Price per pound
(1) District I:	
30,000 pounds or more.....	\$0.145
2,700 to 30,000 pounds.....	0.15
Less than 2,700 pounds.....	0.155
(2) District II:	
30,000 pounds or more.....	\$0.150
2,700 to 30,000 pounds.....	0.1575
Less than 2,700 pounds.....	0.1625
(3) District III:	
30,000 pounds or more.....	\$0.1575
2,700 to 30,000 pounds.....	0.170
Less than 2,700 pounds.....	0.175
(4) District IV: The maximum prices for deliveries in District IV shall be the prices set forth under paragraph (a) (1) above plus the amount, if any, by which actual freight cost for such shipment by rail exceeds the cost of freight by water to Pacific Coast docks.	

(b) *Delivery from warehouse stocks.* Where shipment is in standard barrels from emergency stocks in Chicago, Cleveland, Boston, Los Angeles, or San Francisco, there may be added ¼¢ per pound to the appropriate maximum price determined under paragraph (a) above.

(c) *Containers.* No additional charge may be made for containers but a reasonable container deposit may be required, providing such deposit is refunded upon the return of container in good condition within a reasonable time. Transportation charges with respect to the return of empty containers from buyer's plant to the plant of the Resinous Products and Chemical Company, Bridesburg, Philadelphia, Pennsylvania, shall be borne by the Resinous Products and Chemical Company to the extent of minimum freight; transportation charges in excess of minimum freight for the return of empty drums shall be borne by buyer.

(d) All discounts, trade practices, and practices relating to the payment of shipping charges in effect in March 1942 on the sale by this Company of comparable products shall apply to the maximum prices set forth in this paragraph. Terms shall be one percent 10 days, net 30 days.

(e) *Definitions.* When used in this Order No. 203, the term:

(1) "District I" shall comprise New England, Middle Atlantic States, Virginia, North Carolina, Kentucky, Ohio, Michigan, Indiana, Illinois, Wisconsin, St. Paul and Minneapolis, Minnesota, St. Louis and Missouri.

(2) "District II" shall comprise Missouri (except St. Louis), Minnesota (ex-



cept St. Paul and Minneapolis), Iowa, Kansas, Nebraska, North Dakota, South Dakota, Oklahoma, Arkansas, the South (including only Dallas and Houston in Texas).

(3) "District III" shall comprise Texas (except Dallas and Houston), Colorado and other western states excepting those on the Pacific Coast.

(4) "District IV" shall comprise California, Oregon and Washington.

(f) The Resinous Products and Chemical Company shall submit to the Office of Price Administration in Washington, D. C., such reports as shall from time to time be required in writing.

(g) This Order No. 203 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 203 (§ 1499.1439) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-215; Filed, January 4, 1943;  
4:17 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 147 Under § 1499.18 (b) of GMPR]

SOUTHGATE FOODS

Order 147 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-1906.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1408 *Adjustment of maximum prices for pints, quarts, and one-half gallon jars of full strength Red Mill pure apple cider vinegar packed by the Southgate Foods, Norfolk, Virginia.* (a) Southgate Foods of Norfolk, Virginia, may sell and deliver and any person may buy and receive from Southgate Foods, Red Mill full strength pure apple cider vinegar at prices no higher than 70 cents per dozen pint jars, \$1.15 per dozen quart jars, and \$2.30 per dozen one-half gallon jars, f. o. b. Norfolk, Virginia, on shipments outside of Virginia, and f. o. b. Norfolk, Virginia, with freight allowed up to 25¢ per cwt. for shipments to all Virginia points.

(b) Southgate Foods shall not change its customary allowances, discounts or other price differentials, unless such change shall result in a lower selling price.

(c) Southgate Foods, before or at the time of making each initial sale after the effective date of this order to a purchaser of pints, quarts, or one-half gallons of Red Mill pure apple cider vinegar, shall notify such purchaser in writing as follows:

The Office of Price Administration has permitted us to raise our maximum selling prices for sales to you of pint jars of Red Mill pure apple cider vinegar, full strength, from 60 to 70 cents per dozen jars; of quarts of Red Mill full strength pure apple cider vinegar from 95 cents to \$1.15 per dozen jars; and of one-half gallons of Red Mill full strength pure apple cider vinegar from \$1.87½ to \$2.30 per dozen jars. These prices are f. o. b. Nor-

folk, Virginia, on shipments outside of Virginia, and f. o. b. Norfolk, Virginia, with freight allowed up to 25¢ per cwt. for shipments to all Virginia points. This amount represents only that part of cost increases which we are unable to absorb, and it was granted with the understanding that the wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise his maximum price for sales of pints, quarts, or one-half gallons of Red Mill full strength pure apple cider vinegar purchased from us. OPA requires that you keep this notice for examination.

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 147 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 147 (§ 1499.1408) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 147 (§ 1499.1408) shall become effective January 5, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-214; Filed, January 4, 1943;  
4:15 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 2 Under § 1499.18 (c), as Amended,  
of GMPR]

COLUMBIA PACKAGE CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1502 *Adjustment of maximum prices for lard pails and tubs manufactured and sold by the Columbia Package Company, Inc.* (a) The Columbia Package Company, Inc., Memphis, Tennessee, may sell and deliver, and any person may buy from that company, the lard pails and tubs hereafter specified at prices not higher than the following prices per pail or tub, f. o. b. Memphis, Tennessee.

Description	Maximum price
20 and 22 lb. lard pails.....	\$4.20
50 lb. lard tubs, plain.....	6.25
65 lb. varnished lard tubs.....	7.75

(b) All prayers of the applicant not granted herein are denied.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 (§ 1499.1502) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of Maximum Prices established by § 1499.2.

(e) This Order No. 2 (§ 1499.1502) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-218; Filed, January 4, 1943;  
4:15 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Amendment 17 to Rev. Supp. Reg. 4<sup>1</sup> of  
GMPR<sup>2</sup>]

EXCEPTIONS—SALES TO UNITED STATES  
AGENCIES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1499.29 (a) (8) is amended to read as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(8) Prior to April 1, 1943, to sales or deliveries to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, of the following commodities:

(i) The following Ski troop equipment: carabineers, ice axes, pitons, ski bindings, ski poles, ski wax, mountain and ski goggles;

(ii) Mountain and ski stoves (gasoline, one burner);

(iii) Field ranges, model-1937 (Quartermaster Corps); spare parts therefor, Class A;

(iv) Canteens, canteen cups, and meat cans, Model M-1942 (Quartermaster Corps);

(v) Helmet liners, Model M-1 (Quartermaster Corps);

(vi) Paratroop knives;

(vii) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943;

(a) Accessories for field range, Model 1937 (Quartermaster Corps), parts 222, 223, 224, 225, 226, 227, 228, 229, 230, as listed in Instruction for Operation and Care of Gasoline Field Range, Model 1937 (Quartermaster Corps);

(b) Wire cutters, Model M-1938 (Quartermaster Corps);

(c) Identification tags, Model M-1940 (Quartermaster Corps);

(d) Metal insignia, cap and collar (for enlisted men).

(viii) Deliveries of canteens Model M-1910 (Quartermaster Corps) pursuant to contracts entered into prior to December 20, 1942.

(d) \* \* \*

(18) Amendment No. 17 (§ 1499.29 (a) (8)) to Revised Supplementary Reg-

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6744, 6793, 7175, 7538, 8021, 9827, 10022, 10110, 10531.

<sup>2</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 8007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.



ulation No. 4 shall be effective as of the 1st day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-212; Filed, January 4, 1943;  
4:23 p. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Subtitle A—Office of the Secretary of the Interior

[Order 1772]

#### PART 4—DELEGATION OF AUTHORITY

##### OFFICES UNDER DIRECT SUPERVISION OF THE SECRETARY

By virtue of the authority vested in the Secretary of the Interior to issue rules and regulations in the administration of the functions of the Department of the Interior and the authority conferred by sec. 161, Rev. Stat., 5 U. S. C. sec. 22, *It is hereby ordered*, That § 4.3 of Order No. 1764 of November 20, 1942 (7 F.R. 9738, November 24, 1942), be amended to read as follows:

§ 4.3 *Offices under direct supervision of the Secretary.* The following Offices and Divisions shall remain under the direct supervision of the Secretary of the Interior:

1. Office of the Solicitor.
2. Division of Information.
3. Division of Power and the Bonneville Power Administration.
4. Office of Field Representatives.
5. Petroleum Administration for War.
6. Office of Solid Fuels Coordinator for War.
7. Office of Fishery Coordination.

This order shall be published in the Federal Register.

Issued and effective this 14th day of December 1942.

HAROLD L. ICKES,  
Secretary of the Interior.

[F. R. Doc. 43-225; Filed, January 5, 1943;  
9:26 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### Subchapter A—General Rules and Regulations [No. 3666]

#### PART 75—TRANSPORTATION OF EXPLOSIVES TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of December A. D. 1942.

It appearing that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and section 204 (a) (2) of Part II of the Interstate Commerce Act, the

Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit:

*It is ordered*, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

AUTHORITY: Issued under sec. 233, 41 Stat. 1445; sec. 204 (a) (2), 49 Stat. 546; 18 U.S.C. 383, 49 U.S.C. 304.

#### Part 3—Regulations Applying to Shippers

Superseding and amending Note, par. (b) (2), sec. 72, order Dec. 12, 1942, to read as follows (packing primers):

NOTE.—Because of the present emergency and until further order of the Commission, empty cartridge cases primed may be shipped in strong wooden barrels or strong fiber drums.

Superseding and amending par. (e), sec. 101, order Oct. 28, 1942, to read as follows (packing inflammable liquids—outage):

(e) Inflammable liquids must not be loaded into domes of tank cars, except as follows:

Because of the present emergency and until further order of the Commission, and only for shipments made during the months of October to April, inclusive, inflammable liquids having a vapor pressure not exceeding 16 pounds per square inch, absolute, at 100° F. may be loaded not to exceed 98 per cent of the combined shell and dome capacity of the tank car.

Superseding and amending Note, par. (b) (5), sec. 110, order Dec. 12, 1942, to read as follows (packing inflammable liquids):

NOTE.—Because of the present emergency and until further order of the Commission, wooden whiskey barrels, with char removed and properly reconditioned, which comply with all the provisions of spec. 10B, are also authorized. Maker's marking requirements, as prescribed by the specification, must be applied by the one who reconditions the barrel.

Amending sec. 113, order Aug. 16, 1940, as follows (packing paint, etc.). Add:

(c) (1) *Spec. 37E.* Metal drums (single-trip). Because of the present emergency and until further order of the Commission, spec. 37E metal drums of

Part 3 in this order appears in CFR as Part 75.

Capacity of container not over (gallons)	Minimum number of hoops	Minimum size of hoops (inches in width and Birmingham gage)							
		Head		1st quarter		2d quarter		Bilge	
(Change) 50	8	Inch 1 3/4	Gage 16	Inch 1 1/2	Gage 18	Inch 1 1/2	Gage 18	Inch 1 3/4	Gage 17

\*NOTE. Because of the present emergency and until further order of the Commission, head hoops of 17 gage are authorized.

8 1/2 gallons capacity, with welded side seams and made of 24 gauge metal, are authorized provided flash point of material shipped is above 20° F.

Superseding and amending Note, par. (e), sec. 204, order Oct. 28, 1942, to read as follows (packing sodium hydrosulfite):

NOTE.—Because of the present emergency and until further order of the Commission, the use of inside metal drums will not be required but in lieu thereof the drum must be lined or coated, or otherwise treated so as to prevent the entrance of moisture in quantities sufficient to create a hazardous condition in transportation: drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop in place of drop test as provided in spec. 21A; maximum loaded capacity 250 pounds net.

Superseding and amending par. (b) (6), sec. 207, order Dec. 12, 1942, to read as follows (packing sulfide of sodium, etc.):

(b) (6) *Spec. 21A.* Fiber drums which must be lined or coated, or otherwise treated so as to prevent the entrance of moisture in quantities sufficient to create a hazardous condition in transportation: drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop, in place of drop test as provided in spec. 21A; maximum loaded capacity 250 pounds net. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Amending par. (b) (2), sec. 329, order Aug. 16, 1940, as follows (packing chlorpicrin, etc.). Add:

NOTE. Because of the present emergency and until further order of the Commission, drums not exceeding 55 gallons capacity with welded seams are authorized for mixtures containing not over 15 per cent by volume of chlorpicrin.

Superseding and amending par. (a) (11), sec. 357, order July 14, 1942, to read as follows (packing cyanides, etc.):

(a) (11) *Spec. 21A.* Fiber drums which must be lined or coated, or otherwise treated so as to prevent the entrance of moisture in quantities sufficient to create a hazardous condition in transportation: drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop, in place of drop test as provided in specification 21A; maximum loaded capacity 225 pounds net. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Superseding and amending item of table and addition of Note, par. 7 (d), spec. 10A, order Aug. 16, 1940, to read as follows:

(d) Hoops, number and size:



Amending par. 12 (c), spec. 10A, order August 16, 1940, as follows:

NOTE. Because of the present emergency and until further order of the Commission, date of manufacture may be omitted.

Superseding and amending items of table and addition of Notes, par. 7 (d), spec. 10B, order Aug. 16, 1940, to read as follows:

(d) Hoops, number and size:

Capacity of container not over (gallons)	Minimum number of hoops	Minimum size of hoops (inches in width and Birmingham gage)							
		Head		1st quarter		2d quarter		Bilge	
		Inch	Gage	Inch	Gage	Inch	Gage	Inch	Gage
(Change) 50.....	*8	1 3/4	17	1 1/2	18	1 1/2	18	1 3/4	17
(Change) 5.....	16	1	19	1	19			1	19

\*NOTE. Because of the present emergency and until further order of the Commission, the minimum number of hoops is authorized to be reduced to 6 by eliminating second quarter hoops.

†NOTE. Because of the present emergency and until further order of the Commission, the minimum number of hoops is authorized to be reduced to 4 by eliminating first quarter hoops if head and bilge hoops of 1 3/4 inch by 17 gage are used.

Superseding and amending par. (b), sec. 526, order Aug. 16, 1940, to read as follows:

(b) Boxes of high explosives, low explosives, or black powder, packed in long cartridges, bags, or siftproof liners, and containing no liquid explosive ingredient, may be loaded on their sides or ends.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after December 30, 1942 and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That copies of this order be served upon all the parties of record herein and that notice be given to the public by posting in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-248; Filed, January 5, 1943;  
10:37 a. m.]

#### Subchapter B—Carriers by Motor Vehicle [MC-C-329]

#### PART 170—COMMERCIAL ZONES

#### DAVENPORT, IOWA, ROCK ISLAND AND MOLINE, ILL.

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 1st day of January, A. D. 1943.

It appearing that investigation of the matters and things involved in this proceeding having been made, and the said proceeding has been referred to F. W. Denniston, Examiner, for the recommendation of an appropriate order accompanied by his reasons therefor, who has made and filed a report herein containing his findings of fact and conclusions thereon, which report is hereby made a part hereof:

It is ordered, That the applicable provisions of the Code of Federal Regula-

tion be, and they are hereby, amended to include the following:

§ 170.10 *Davenport, Iowa, Rock Island and Moline, Ill.* For the purpose of administration and enforcement of the Interstate Commerce Act, the municipalities contiguous to, and zones adjacent to and commercially a part of Davenport, Iowa, Rock Island, and Moline, Ill., in which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond such municipalities or zones, will be partially exempt from regulation under section 203 (b) (8) of the act, shall be, and it is hereby, defined to include the following:

Carbon Cliff, Ill.  
East Moline, Ill.  
Milan, Ill.  
Moline, Ill.  
Rock Island, Ill.  
Silvis, Ill.  
Davenport, Iowa.  
Bettendorf, Iowa.

That part of Iowa lying west of the Municipal limits of Davenport, south of U. S. Highway 61 north of the Mississippi River, and east of the western boundary of the properties of the Dewey Portland Cement Co. at Linwood, including points on the said boundaries.

That part of Iowa east of the municipal limits of Bettendorf, south of U. S. Highway 67, west of a private road running from U. S. Highway 67 to the Riverside Power Plant of Iowa-Illinois Gas & Electric Company, and north of the Mississippi River, including points on the said boundaries.

(Sec. 203 (b) (8), 49 Stat. 546; 49 U.S.C. Supp. 303 (b) (8))

And it is further ordered, That this order shall become effective January 1, 1943, and shall continue in effect until the further order of the Commission.

By the Commission, Division 5.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-220; Filed, January 4, 1943;  
4:37 p. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[Docket No. B-346]

STEFFEY AND FINDLAY, INC.

#### ORDER CORRECTING ERROR

In the matter of Steffey & Findlay, Inc., a registered distributor, Registration No. 8671.

A Notice of and Order for Hearing having been issued in the above-entitled matter on November 26, 1942, in which the sentence in paragraph A on page one thereof reads in part "During the period December 27, 1940, to March 26, 1941 \* \* \*" contains a typographical error in that the latter mentioned date should read "March 26, 1942"; and

The Director deeming it advisable that said typographical error should be corrected;

Now, therefore, it is ordered, That the sentence quoted in part in the first paragraph hereof be, and the same hereby is, corrected to read in part "During the period December 27, 1940, to March 26, 1942 \* \* \*"

Dated: January 4, 1943.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 43-252; Filed, January 5, 1943;  
11:42 a. m.]

### CIVIL SERVICE COMMISSION.

#### CONDITION OF APPORTIONMENT AT CLOSE OF BUSINESS THURSDAY, DECEMBER 31, 1942

*Important.* The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certifications of eligibles are first made from states which are in arrears. The apportionment is observed in certifications except to low salaried positions; but as persons who receive appointments in the Departmental Service under the War Service Regulations do not thereby acquire a permanent classified civil service status, their appointments are not charged to the apportionment.



State	Number of positions to which entitled	Number of positions occupied
<b>IN ARREARS</b>		
1. Virgin Islands	22	0
2. Puerto Rico	1,622	56
3. Hawaii	367	28
4. Alaska	63	15
5. California	5,994	1,821
6. Michigan	4,561	1,754
7. Louisiana	2,051	826
8. Arizona	433	214
9. Texas	5,567	3,014
10. Kentucky	2,470	1,386
11. Alabama	2,453	1,389
12. Georgia	2,711	1,550
13. Ohio	5,995	3,596
14. South Carolina	1,649	1,006
15. Mississippi	1,895	1,163
16. Arkansas	1,692	1,150
17. Indiana	2,975	2,061
18. New Jersey	3,610	2,601
19. Oregon	946	689
20. Nevada	96	70
21. Washington	1,507	1,138
22. North Carolina	3,099	2,373
23. Illinois	6,853	5,272
24. New Mexico	462	362
25. Tennessee	2,530	2,015
26. Wisconsin	2,723	2,201
27. Connecticut	1,483	1,210
28. Idaho	455	387
29. Florida	1,647	1,410
30. Delaware	231	203
31. Rhode Island	619	559
32. Missouri	3,284	3,179
33. Utah	478	465

<b>IN EXCESS</b>		
34. Vermont	312	320
35. New Hampshire	427	447
36. Pennsylvania	8,501	8,999
37. Massachusetts	3,746	3,937
38. Maine	735	801
39. West Virginia	1,651	1,846
40. Oklahoma	2,028	2,457
41. Iowa	2,203	2,688
42. Colorado	975	1,234
43. Montana	485	627
44. Wyoming	218	294
45. Minnesota	2,423	3,185
46. New York	11,697	15,803
47. Kansas	1,563	2,256
48. North Dakota	557	820
49. South Dakota	558	1,018
50. Virginia	2,324	4,309
51. Nebraska	1,142	2,165
52. Maryland	1,590	4,720
53. District of Columbia	375	13,259

Gains	9,076
Losses	6,196

Total appointments..... 116,393

NOTE.—Number of employees occupying apportioned positions who are excluded from the apportionment figures under Sec. 3, Rule VII, and the Attorney General's Opinion of August 25, 1934..... 23,323

By direction of the Commission.

[SEAL] L. A. MOYER,  
Executive Director  
and Chief Examiner.

[F. R. Doc. 43-224; Filed, January 5, 1943;  
9:43 a. m.]

# OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order No. 343]

## NORDMARK CORP.

All of the capital stock of Nordmark Corporation and certain indebtedness owing by its subsidiary, Nordmark Chemical Works, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) Finding that Nordmark Werke G. m. b. h., whose last known address was represented to the undersigned as being Hamburg, Germany, is a national of a designated enemy country (Germany);

(b) Finding that Nordmark Werke G. m. b. h. owns 850 shares of capital stock of Nordmark Corporation, a Delaware corporation, Wilmington, Delaware, which is a business enterprise within the United States and which 850 shares (consisting of 100 shares of \$100 par value preferred stock, 250 shares of no par value Class "A" stock, and 500 shares of no par value Class "B" stock) constitute all the outstanding capital stock of said business enterprise and represent ownership thereof, and therefore determining that such business enterprise is a national of the aforesaid designated enemy country (Germany);

(c) Finding that Nordmark Chemical Works, Inc., a New York corporation, New York, New York, is a business enterprise within the United States which is owned or controlled by said Nordmark Corporation and therefore is a national of a designated enemy country (Germany);

(d) Finding, therefore, that all right, title, interest, and claim of any name or nature whatsoever of Nordmark Werke G. m. b. h. in and to all indebtedness, contingent or otherwise, and whether or not matured, owing to it by said Nordmark Chemical Works, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, is an interest in the aforesaid business enterprise held by a national of an enemy country and also is property within the United States owned or controlled by a national of a designated enemy country (Germany);

(e) Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

(f) Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

(g) Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the shares of stock described in subparagraph (b) and the indebtedness described in subparagraph (d), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on November 7, 1942.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-237; Filed, January 5, 1943;  
9:57 a. m.]

[Vesting Order 479]

## ORIENTAL SHOW-YOU COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Shinzaburo Mogi and H. I. Ozaki, whose last known addresses were represented to the undersigned as being Japan, are nationals of a designated enemy country (Japan);

2. Finding that said Shinzaburo Mogi and H. I. Ozaki are the respective owners of 132 shares of common, and 20 shares of 7% non-cumulative participating preferred, \$100 par value capital stock of Oriental Show-You Company, an Indiana corporation, Columbia City, Indiana, which is a business enterprise within the United States, which shares constitute a substantial part (namely, 39.4% and 7.66%, respectively, of all outstanding shares of common and preferred stock) of the outstanding capital stock of said business enterprise and represent an interest therein;

3. Determining, therefore, that said business enterprise is a national of a designated enemy country (Japan);

4. Determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 132 shares of common stock and the 20 shares of preferred stock referred to in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.



Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 11, 1942.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-236; Filed, January 5, 1943;  
9:57 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Order 5 Under MPR 97]

DIXIE LUMBER CO.

CLASSIFICATION AS "TOUGH ASH SPECIALTY ESTABLISHMENT"

Order No. 5 under Maximum Price Regulation No. 97—Southern Hardwood Lumber. Certification of Charleston, South Carolina, yard of Dixie Lumber Company as a "tough ash specialty establishment."

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and § 1382.108 (a) (8) of Maximum Price Regulation No. 97—Southern Hardwood Lumber, *It is hereby ordered:*

(a) The following operation has been approved and certified by the Office of Price Administration as a "tough ash specialty establishment" for the purposes of Maximum Price Regulation No. 97—Southern Hardwood Lumber:

Charleston, South Carolina, yard of Dixie Lumber Company, Inc. of Conway, South Carolina.

(b) This order shall cease to be effective if at any time the above yard handles tough ash lumber supplied from mills owned by Dixie Lumber Company, Inc., or which own Dixie Lumber Company, Inc., or are owned in common with Dixie Lumber Company, Inc.

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 5 shall become effective this 5th day of January 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-188; Filed, January 4, 1943;  
4:21 p. m.]

[Order 129 Under MPR 120]

MINDS COAL MINING CORP.

ORDER GRANTING ADJUSTMENT, ETC.

Order No. 129 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant. In the matter of The Minds Coal Mining Corporation, Protestant—Docket No. 1120-91-P. Granting Adjustment and Denial of Protest Insofar as Relief is Not Granted.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (e) of Maximum Price Regulation No. 120; *It is ordered:*

(a) *Granting adjustment.* (1) Coal in Size Groups 1-10, inclusive, produced at the Golden Ridge No. 6 Mine (Mine Index No. 65), District No. 3, of The Minds Coal Mining Corporation, Ramey, Pennsylvania, may be sold to, and purchased by, all persons (except the New York, New Haven, and Hartford Railroad) for use as railroad fuel at prices per net ton, f. o. b. the mine, not to exceed \$2.65 for Size Groups 1-5, \$2.50 for Size Group 6, and \$2.40 for Size Groups 7-10;

(2) Paragraph (a) of this Order No. 129 may be revoked or amended by the Price Administrator at any time;

(b) *Denial of protest except insofar as relief is granted by this Order No. 129.* The protest filed by the said The Minds Coal Mining Corporation against the provisions of Maximum Price Regulation No. 120 and assigned Docket No. 1120-91-P is hereby denied except insofar as relief is granted in paragraph (a) of this Order No. 129.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(d) This Order No. 129 shall become effective this 4th day of January 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-205; Filed, January 4, 1943;  
4:20 p. m.]

[Order 130 Under MPR 120]

PEABODY COAL CO.

ORDER GRANTING ADJUSTMENT, ETC.

Order No. 130 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-19-P. Granting Adjustment to the Peabody Coal Company and Closing the Protest Docket.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) *Granting adjustment.* Size Groups 13 and 14 coals produced by Peabody Coal Company, Chicago, Illinois, at its Mine No. 48, Mine Index No. 70, District No. 11, may be sold to and purchased by the Northern Indiana Public Service Company, Michigan City, Indiana, and the Chicago District Electric Generating Corporation, Lake Front, Hammond, Indiana, at prices not to exceed \$1.75 per net ton f. o. b. the mine;

(b) *Closing protest docket.* Since the adjustment made by paragraph (a) of this order grants all the relief requested in Docket No. 1120-19-P, said docket is hereby closed;

(c) This Order No. 130 may be revoked or amended by the Price Administrator at any time;

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(e) This Order No. 130 shall be effective January 4, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-206; Filed, January 4, 1943;  
4:20 p. m.]

[Order 6 Under MPR 152]

MINNESOTA VALLEY CANNING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 6 under Maximum Price Regulation No. 152—Canned Vegetables. Approval of Maximum Prices for Minnesota Valley Canning Company, Le Sueur, Minnesota.

On July 13, 1942, the Minnesota Valley Canning Company filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Careful consideration has been given to the information submitted by this Company with respect to the packing in No. 2 tins of Fancy Cream Style Corn of 1942 pack to be sold under the label "Del Maize Brand Cream Style Corn".

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered, That:*

(a) The Minnesota Valley Canning Company may sell, offer to sell, or deliver and any person may buy, offer to buy or receive No. 2 containers of the 1942 pack of Del Maize Brand Cream Style Corn at a price no higher than the maximum price of \$1.33 per dozen, delivered.

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.



(d) This Order No. 6 shall become effective on January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-193; Filed, January 4, 1943;  
4:22 p. m.]

[Order 112 Under MPR 188]

OVERLY MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 112 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a Maximum Price for Certain Architectural Sheet Metal Products Made According to Special Design and Specifications.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered, That:*

(a) The Overly Manufacturing Company, Greensburg, Pennsylvania, may sell and deliver, and any person may buy and receive from the Overly Manufacturing Company, the products described in paragraph (b) below at a price determined by the use of the formula outlined under paragraph (c) below.

(b) This Order No. 112 shall cover sheet metal louvers, skylights, metal flashings, ventilators, dust collecting piping, air ducts, ventilating stacks and breechings, metal clad doors and metal door frames, made according to special design or according to specifications supplied by the purchaser, which will not become part of the Overly Manufacturing Company's standard line of products, which were not delivered during March 1942 by the Overly Manufacturing Company and the prices for which cannot be determined upon the basis of prices which the Overly Manufacturing Company had in effect for standard items and for special processing during March 1942.

(c) The maximum price shall be determined by adding a 25 per cent markup to the total of the following:

(1) Cost of materials based on March 1942 prices, but not in excess of maximum prices permitted by any applicable regulation, schedule or order issued by the Office of Price Administration;

(2) Cost of miscellaneous materials such as bolts, screws, rivets, paint, solder, welding rod, hinges, latches and operating devices and accessories thereto based on March 1942 prices, but not in excess of maximum prices permitted by any applicable regulation, schedule or order issued by the Office of Price Administration;

(3) Cost of labor based upon the highest labor rates in effect in the Overly Manufacturing Company's plant during any substantial portion of March 1942 for each class of labor involved, and

(4) Overhead computed at the rate of 120% of the cost of labor.

(d) The maximum prices determined under paragraph (c) above shall be f. o. b. Greensburg, Pennsylvania.

(e) The maximum prices established by this Order No. 112 shall apply only to the manufacture of the articles described in paragraph (b) above, and shall not include the installation thereof. Maximum prices at which the Overly Manufacturing Company may sell such articles on an installed basis shall be determined in accordance with Maximum Price Regulation No. 251.

(f) The Overly Manufacturing Company shall retain in its files and have available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect the following information:

(1) A description of each article priced in accordance with this order;

(2) The price of each article as determined in accordance with paragraph (c) of this order;

(3) Detailed calculations in determining the price in accordance with paragraph (c) of this order; and

(4) The name and address of the purchaser of each article priced under this order.

(g) The Overly Manufacturing Company shall forward to the Office of Price Administration, Building Materials Branch, Washington, D. C., copies of invoices covering the first fifty articles priced in accordance with this order. Each invoice shall be forwarded within ten days after the contract involving each particular article covered by each such invoice is entered into.

(h) Any price determined under this Order No. 112 shall be subject to adjustment by the Office of Price Administration at any time.

(i) This Order No. 112 may be revoked or amended by the Office of Price Administration at any time.

(j) This Order No. 112 shall become effective on January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-202; Filed, January 4, 1943;  
4:16 p. m.]

[Order 113 Under MPR 188]

KEASBEY & MATTISON CO.

APPROVAL OF MAXIMUM PRICE

Order No. 113 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

On October 9, 1942, the Keasbey & Mattison Company, Ambler, Pennsylvania, filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for their "Air Duct Adhesive," a material designed for sealing joints in the fabricating of air ducts using asbestos millboard instead of sheet metal.

Due consideration has been given to the application, and an opinion in support of this Order No. 113 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, the following order has been issued:

*Authorization of maximum prices for Air Duct Adhesive manufactured and sold by the Keasbey & Mattison Company.* (a) The Keasbey & Mattison Company is authorized to sell, deliver and offer for sale, and all persons are authorized to receive or buy from it in the course of trade, Air Duct Adhesive manufactured and sold by the company in fifteen pound containers at prices f. o. b. factory not to exceed \$.055 per pound to distributors, \$.058 per pound to jobbers, equipment accounts and industrials and \$.061 per pound to all other classes of trade.

(b) The prices stated in paragraph (a) above shall be the maximum prices for Air Duct Adhesive manufactured and sold by the Keasbey & Mattison Company. All cash discounts which the Keasbey & Mattison Company has customarily allowed since March 1942, shall be applicable to the sale of Air Duct Adhesive.

(c) The authorization granted to the Keasbey & Mattison Company in paragraph (a) above is subject to the following conditions:

(1) That it shall notify all customers purchasing Air Duct Adhesive from it that the Office of Price Administration has by this order authorized its maximum prices as provided in paragraph (a) above; and

(2) That it shall, on April 15, 1943, submit a detailed manufacturing statement for the month of March 1943, using March 1942 labor and material costs, unless such material costs have been reduced since that time by an order of the Office of Price Administration, and indicating also in such statement the physical production of the product during March 1943.

(d) All prayers in the petition not specifically granted herein are denied.

(e) This Order No. 113 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 113 shall become effective January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-203; Filed, January 4, 1943;  
4:17 p. m.]

[Order 114 Under MPR 188]

THE TRANE CO.

APPROVAL OF MAXIMUM PRICE

Order No. 114 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices For Specified Building Materials and Consumers' Goods Other Than Apparel.



Authorization of a Maximum Price of Specially Designed Heat Exchange Equipment.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The Trane Company of LaCrosse, Wisconsin, may sell and deliver, and any person may buy and receive from the Trane Company, heat exchange equipment as defined in paragraph (b) below at a list price determined by the use of the formula outlined under paragraph (c) below and subject to the discounts set forth in paragraph (e) below.

(b) The articles covered by this order shall include all items of heat exchange equipment manufactured by Trane Company which are made according to special design and which are not part of, and will not become part of, Trane Company's standard line of products, and which were not delivered or offered for delivery during March 1942 by Trane Company and the prices for which cannot be determined upon the basis of prices which Trane Company had in effect for standard items and for special processing during March 1942.

(c) The list price shall be determined by adding:

(1) Cost of materials based on March 1942 prices, but not in excess of maximum prices permitted by any applicable regulation, schedule or order issued by the Office of Price Administration, to,

(2) Cost of labor based upon labor rates in effect in the Trane Manufacturing Company's plant for any substantial portion of March 1942 for each class of labor involved, to,

(3) Overhead computed at the rate of 1.6 times the cost of labor, and

(4) Multiplying the total of (1), (2) and (3) by the factor 3.6.

(d) The list price determined under paragraph (c) shall be f. o. b. point of manufacture.

(e) The list price determined under paragraph (c) shall be subject to the following discounts:

(1) On sales to distributors successive discounts of 25% and 20% and 20%;

(2) On sales to jobbers successive discounts of 25% and 20% and 10%;

(3) On sales to building contractors and dealers successive discounts of 25% and 20%.

(f) The Trane Company shall retain in its files and have available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect the following information:

(1) A description of each article priced in accordance with this order;

(2) The list price of each article as determined in accordance with paragraph (c) of this order;

(3) Detailed calculations in determining the list price in accordance with paragraph (c) of this order;

(4) The name and address of the purchaser of each article priced under this order; and

(5) The discounts allowed in each case.

(g) The Trane Company shall forward to the Office of Price Administration, Building Materials Branch, Washington, D. C., copies of invoices covering the first fifty articles priced in accordance with this order. Each invoice shall be forwarded within ten days after the contract involving each particular article covered by each such invoice is entered into.

(h) Any selling price determined under this Order No. 114 shall be subject to adjustment by the Office of Price Administration at any time.

(i) This Order No. 114 may be revoked or amended by the Office of Price Administration at any time.

(j) This Order No. 114 shall become effective on January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-204; Filed, January 4, 1943;  
4:21 p. m.]

[Order 30 Under RPS 6]

THE WEST VIRGINIA RAIL COMPANY

ORDER GRANTING EXCEPTION

Order No. 30 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-34.

On November 23, 1942, The West Virginia Rail Company, Huntington, West Virginia, filed a petition for exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 30 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration: *It is hereby ordered*:

(a) The maximum prices at which The West Virginia Rail Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver light rails, when such light rails are shipped by it to points outside of its usual market area and where such shipments are not to regular customers on regular business but result from directives, allocations or other orders of the War Production Board, shall be the maximum applicable base prices as otherwise established by Revised Price Schedule No. 6, f. o. b., Huntington, West Virginia.

(b) The provisions of paragraph (a) hereof shall be applicable to all shipments on or after November 23, 1942.

(c) The authorization herein granted to The West Virginia Rail Company is subject to the condition that a monthly report be filed with the Office of Price Administration, stating the amount of shipments which have been made on an f. o. b. Huntington, West Virginia basis, and giving the names and addresses of the purchasers, the destinations of the shipments and a description of the priority rating, allocation or other order identifying such sales made on an f. o. b. Huntington, West Virginia, basis.

(d) This Order No. 30 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 30 shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-200; Filed, January 4, 1943;  
4:21 p. m.]

[Order 31 Under RPS 6]

CONNORS STEEL COMPANY

ORDER GRANTING EXCEPTION

Order No. 31 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. 3006-33.

On November 18, 1942, Connors Steel Company, Birmingham, Alabama, filed a petition for exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof.

Due consideration has been given to the petition and an opinion in support of this Order No. 31 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration: *It is hereby ordered*:

(a) The maximum prices at which Connors Steel Company may sell and deliver and agree, offer, solicit and attempt to sell and deliver alloy steel bars and ingots, when such alloy steel bars and ingots are shipped by it to destinations outside of the States of Alabama, Mississippi, Louisiana, Georgia, Florida and Tennessee shall be the maximum applicable Pittsburgh base prices, as otherwise established by Revised Price Schedule No. 6, f. o. b. Birmingham, Alabama.

(b) The provisions of paragraph (a) hereof shall be applicable to all shipments made on or after November 18, 1942.



(c) This Order No. 31 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to the terms used herein.

(e) This Order No. 31 shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-201; Filed, January 4, 1943;  
4:17 p. m.]

[Order 6 Under RPS 20, as Amended]

#### ORDER GRANTING EXCEPTION TO STOTTER METAL COMPANY

Order No. 6 under Revised Price Schedule No. 20, as Amended—Copper Scrap and Copper Alloy Scrap.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1309.71 (i) (4) of Revised Price Schedule No. 20, as amended—Copper Scrap and Copper Alloy Scrap: *It is hereby ordered:*

(a) Stotter Metal Company of Cleveland, Ohio, may pay and any person may charge Stotter Metal Company the premiums for No. 1 Copper Wire, No. 1 Tinned Copper Wire, No. 1 Heavy Copper, or No. 2 Copper Wire and Mixed Heavy Copper in briquettes, provided for in § 1309.71 (f) (1) (i) of Revised Price Schedule No. 20, as amended.

(b) The terms used in this Order No. 6 shall have the meaning given to them by Revised Price Schedule No. 20, as amended.

(c) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 6 shall become effective January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-189; Filed, January 4, 1943;  
4:19 p. m.]

[Order 7 Under RPS 41]

#### ELECTROCAST STEEL FOUNDRY Co.

##### ADJUSTMENT OF MAXIMUM PRICES

Order No. 7 under Revised Price Schedule No. 41—Steel Castings—Docket No. 3041-12.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration; *It is hereby ordered:*

*Adjustment of the maximum prices of Electrocast Steel Foundry Company on*

*shipments out of its usual market area*

(a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41, Electrocast Steel Foundry Company, Cicero, Illinois, in ascertaining the maximum prices which it may charge for steel castings, may add to its maximum prices as otherwise established by Revised Price Schedule No. 41 the lowest applicable railroad charge for the transportation of an identical quantity of steel castings from its foundry in Cicero, Illinois to the consumer's plant or other place of business to the extent that such charge exceeds 67 cents per hundred pounds on shipments of carload quantities and to the extent that such charge exceeds 77 cents on less than carload shipments. Any person may buy and receive steel castings from Electrocast Steel Foundry Company at prices not in excess of maximum prices determined as above.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 7 shall become effective January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-190; Filed, January 4, 1943;  
4:18 p. m.]

[Order 11 Under RPS 53]

#### CUDAHY BROTHERS Co.

##### ORDER ESTABLISHING MAXIMUM PRICES

Order No. 11 under Revised Price Schedule No. 53—Fats and Oils.

Establishing maximum prices for Cudahy Brothers Company, Cudahy, Wisconsin on its "Snowball" brand of Standard Shortening.

On November 26, 1942 the Cudahy Brothers Company of Cudahy, Wisconsin, filed an application for adjustment of its maximum prices on its "Snowball" brand of "standard shortening", pursuant to § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53: *It is hereby ordered:*

(a) The maximum delivered prices of Cudahy Brothers Company's "Snowball" brand of "standard shortening" shall be the following prices:

	North	South	Pacific coast
Drums (per pound)....	Cents 16.25	Cents 16.00	Cents 16.60

(b) The provisions of § 1351.151 (b) (12) (v) and (viii) of Revised Price Schedule No. 53 shall apply to the maximum prices established by this order for Cudahy Brothers Company's "Snowball" brand of "standard shortening".

(c) This Order No. 11 shall become effective January 5, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-192; Filed, January 4, 1943;  
4:18 p. m.]

[Order 8 Under RPS 88]

#### D. G. M. OIL Co.

##### ADJUSTMENT OF MAXIMUM PRICES

Order No. 8 under § 1340.156 (c) of Revised Price Schedule No. 88—Petroleum and Petroleum Products—Docket No. 3088-106.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

*Adjustment of maximum prices for crude petroleum produced and sold by D. G. M. Oil Company.* (a) The D. G. M. Oil Company of 510 South Spring Street of Los Angeles, California may sell and deliver, and any person may buy and receive from D. G. M. Oil Company crude petroleum produced from Beverly Hills, California, field at prices not higher than:

The posted prices in effect on October 1, 1941, in the Wilmington, California, field for crude petroleum of like gravity, less 8 cents per barrel.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) All prayers of the application not granted herein are denied.

(d) Unless the context otherwise required, the definitions set forth in § 1340.157 of Revised Price Schedule No. 88 shall apply to terms used here.

(e) This Order No. 8 shall become effective January 5, 1943.

(Pub. Law No. 421, 77th Cong.)

Issued this 4th day of January 1943.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 43-191; Filed, January 4, 1943;  
4:17 p. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-637]

#### ASSOCIATED GAS & ELECTRIC COMPANY ET AL.

##### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of December 1942.

In the matter of Denis J. Driscoll and Willard L. Thorp, Trustees, Associated Gas and Electric Corporation, The General Utilities Company, The Western Re-



serve Power and Light Company and The New London Power Company.

A joint declaration having been filed with this Commission pursuant to sections 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, and U-44, promulgated thereunder, by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, and its subsidiaries, The General Utilities Company and The Western Reserve Power and Light Company, and The New London Power Company, a subsidiary of The Western Reserve Power and Light Company, and an indirect subsidiary of Trustees with respect to the said Trustees' proposing to enter into an agreement regarding the sale of all the properties of the other declarants to the several purchasers hereinafter set forth, and with further respect to the merger and dissolution of the said subsidiaries; and

Appropriate notice having been given and a public hearing on said joint declaration having been duly held, and the Commission having issued and filed its Findings and Opinion herein; and

The Commission having entered its order on December 19, 1942, permitting the said declaration to become effective forthwith; and

The said declarants having filed an amendment to the said declaration on December 26, 1942, requesting that the order of the Commission dated December 19, 1942, be amended as therein indicated; and

It appearing that such amendment is proper and in conformance with the Commission's order of December 19, 1942;

*It is hereby ordered*, That the sale and conveyance by The General Utilities Company, The Western Reserve Power and Light Company, and The New London Power Company, of the properties specified and itemized below is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and

That a specification and itemization of the property to be transferred by The General Utilities Company, The Western Reserve Power and Light Company and The New London Power Company is set forth in Exhibits A-1 to A-10, inclusive, B-1 to B-6, inclusive, C-1, C-2 and D of the form of proposed Agreement to be entered into by and between Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, Debtor, and Hancock-Wood Electric Cooperative, Inc., Paulding-Putnam Electric Cooperative, Inc., North-Central Electric Cooperative, Inc., Tricounty Rural Electric Cooperative, Inc., Midwest Electric, Inc., Lorain-Medina Rural Electric Cooperative, Inc., Holmes Rural Electric Cooperative, Inc., The Village of Lodi, Ohio, and Firelands Electric Cooperative, Inc., which was filed as Exhibit G to the Declaration filed by said Trustees, The General Utilities Company, The Western Reserve Power and Light Company and The New London

Power Company with this Commission under File No. 70-637, said Exhibits A-1 to A-10, inclusive, B-1 to B-6, inclusive, C-1, C-2, and D being incorporated herein by reference; and,

*It is further ordered*, That upon the completion of such sales and conveyances, the following transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

1. The exchange, distribution or transfer by The New London Power Company of all its cash, accounts receivable, and other assets (subject to existing liabilities) with or to The Western Reserve Power and Light Company and the exchange or transfer by The Western Reserve Power and Light Company of all of the outstanding capital stock of The New London Power Company (consisting of 400 shares of common capital stock) with or to The New London Power Company.

2. The exchange, distribution or transfer by The Western Reserve Power and Light Company of all its cash, accounts receivable and other assets (subject to existing liabilities) with or to Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation and the exchange or transfer by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation of all the outstanding capital stock and all claims against The Western Reserve Power and Light Company (consisting of 1,000 shares of common capital stock, a 7% promissory note dated August 15, 1934, payable on demand, in the principal amount of \$175,000, and a 6% promissory note dated July 6, 1936, payable on demand, in the principal amount of \$25,000) with or to The Western Reserve Power and Light Company.

3. The exchange, distribution or transfer by The General Utilities Company of all its cash, accounts receivable and other assets (subject to existing liabilities) with or to Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation and the exchange or transfer by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation of all the outstanding capital stock and all claims against The General Utilities Company (consisting of 900 shares of common capital stock, First Mortgage 6½% sinking fund bonds, series "A", due July 1, 1936, in the principal amount of \$200,000, a 7% promissory note dated August 15, 1934, payable on demand, in the principal amount of \$332,321.88, a 7% promissory note dated October 1, 1936, payable on demand, in the principal amount of \$51,271.76, a 7% promissory note dated October 1, 1936, payable on demand, in the principal amount of \$159,569.17, a 7% promissory note dated October 1, 1936, payable on demand, in the principal amount of \$14,804.74, a 6% promissory note dated March 9, 1936, payable on demand, in the principal amount of \$6,000, a 6% promissory note dated May 12, 1936, payable on demand, in the prin-

cipal amount of \$11,000, a 6% promissory note dated August 11, 1936, payable on demand, in the principal amount of \$11,000 a 6% promissory note dated August 6, 1937, payable on demand, in the principal amount of \$7,258.26, and a 6% promissory note dated August 6, 1937, payable on demand, in the principal amount of \$10,000) with or to The General Utilities Company.

*It is further ordered*, That pursuant to the applicable provisions of the said Act, the said joint declaration, as amended in the manner above set forth, be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-233; Filed, January 5, 1943;  
10:53 a. m.]

[File No. 70-655]

#### NORTHERN STATES POWER COMPANY

#### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 31st day of December, A. D., 1942.

In the matter of Northern States Power Company (Delaware) and Northern States Power Company (Minnesota).

Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company, having filed a joint declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder, regarding a proposal that all payments on the principal of the open account indebtedness (which is now in the amount of \$7,530,852.08) owing by Northern States Power Company (Delaware) to Northern States Power Company (Minnesota) now due or to become due up to June 30, 1943 be postponed until the latter date because a plan filed by Northern States Power Company (Delaware) pursuant to section 11 (e) of said Act for its liquidation and dissolution, the proceedings on which are still pending, provides for the disposition of said indebtedness primarily by the surrender to Northern States Power Company (Minnesota) of 481,111 shares of the common stock of the last mentioned company (all of which is owned by Northern States Power Company (Delaware)) and for a distribution of the remaining shares of the common stock of Northern States Power Company (Minnesota), among the stockholders of Northern States Power Company (Delaware), and because a reduction in the indebtedness would necessitate an alteration in the allocations proposed by the plan and serve no useful purpose; Northern States Power Company (Minnesota) agrees that, if said joint declaration is permitted to become effective, it will



pending the consummation of the plan and until June 30, 1943, or the date of such consummation (whichever shall be earlier) segregate on its books \$345,650.18 (the balance of the payment on such indebtedness due for the year 1942) of its earned surplus as not being available for the declaration of dividends on its common stock; declarants further request that Northern States Power Company (Minnesota) be permitted to waive all interest due on said indebtedness for the period from December 31, 1942, to June 30, 1943;

Said joint declaration having been filed on December 21, 1942, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act and the Commission not having received a request for hearing with respect to said declaration within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

*It is hereby ordered*, Pursuant to said Rule U-23 and the applicable provisions and subject to the terms and conditions prescribed in Rule U-24 and to the agreement with respect to earned surplus set forth in said joint declaration, that the said declaration be and the same is hereby permitted to become effective forthwith: *Provided, however*, That nothing contained in this order shall be construed as constituting a determination by us of the propriety of the disposition of the open account indebtedness as proposed in the aforementioned plan.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-230; Filed, January 5, 1943;  
10:53 a. m.]

#### PETROLEUM INFORMATION SERVICE, INC.

#### FINDINGS AND ORDER REVOKING REGISTRATION AS AN INVESTMENT ADVISER

In the matter of Petroleum Information Service, Inc., 11 East 44th Street, New York, New York.

1. Petroleum Information Service, Inc., a New York Corporation, hereinafter called registrant, is registered with this Commission as an investment adviser under section 203 (c) of the Investment Advisers Act of 1940. Since December 15, 1940, William E. Housel has been president, a director, and controlling person of registrant. On March 26, 1942, the Commission revoked the registration of Housel as a broker and dealer, having found that he had willfully violated the provisions of section 17 (a) of the Securities Act of 1933, section 15 (c) (1) of the Securities Exchange Act of 1934 and Rule X-15C1-2 thereunder.

2. On August 24, 1942 we instituted proceedings under sections 203 (d) <sup>1</sup> and 203 (g) <sup>2</sup>, respectively, of the Act to determine whether registrant's registration as an investment adviser should be suspended, revoked, or cancelled. The order for proceedings stated that information had been reported to the Commission by members of its staff which, if true, tended to show that:

(a) Housel is permanently enjoined by an order of the Supreme Court of the State of New York, in and for the County of New York, entered on February 19, 1942, from engaging in certain conduct and practices in connection with the purchase and sale of securities; and

(b) Registrant has been dissolved in accordance with the laws of the State of New York and is no longer engaged in business as an investment adviser.

3. After appropriate notice, a hearing was held before the trial examiner on September 2, 1942. The registrant did not appear in person or by counsel.

The record shows, and we find that an injunction was entered against William E. Housel, president of the registrant, at Special Term, Part 2, of the Supreme Court of the State of New York held in the County of New York on February 17, 1942. By judgment of said court Housel was "permanently enjoined and restrained from the issuance of, offering for sale, sale, promotion, negotiation, advertisement and distribution, within and from the State of New York, of any stocks, bonds, notes, evidences of interest or indebtedness, in-

<sup>1</sup> Section 203 (d) provides that "the Commission after hearing may by order \* \* \* revoke or suspend the registration of an applicant under this section, if the Commission finds that such \* \* \* revocation, or suspension is in the public interest and that such investment adviser or any partner, officer, director, person performing similar function, or controlling person thereof—

(1) within ten years of the issuance of such order, has been convicted of any felony or misdemeanor involving the purchase or sale of any security or arising out of any conduct or practice of such investment adviser or affiliated person as an investment adviser, underwriter, broker, or dealer, or as an affiliated person or employee of any investment company, bank, or insurance company;

(2) at the time of the issuance of such order, is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from acting as an investment adviser, underwriter, broker, or dealer, or as an affiliated person or employee of any investment company, bank, or insurance company, or from engaging in or continuing any conduct or practice in connection with any such activity or in connection with the purchase or sale of any security.

(3) has violated the provisions of section 207 of this title."

<sup>2</sup> Section 203 (g) provides with reference to cancellation proceedings that "if the Commission finds that any person registered under this section, or who has pending an application for registration filed under this section, is no longer in business or is not engaged in business as an investment adviser, the Commission shall by order cancel the registration of such person."

cluding oil and mineral deeds or leases or any interest therein sold or transferred in whole or in part to the purchaser, where the same do not effect a transfer of the title in fee to the land or other securities, issued, and which may hereafter be issued, of any person, partnership, corporation, company, trust or association, and from any act in aid or furtherance of the same;"

It further appears and we find that registrant has been dissolved and is no longer engaged in business as an investment adviser. It does not appear from the record whether or not the dissolution may be set aside under state law and the registrant thereby regain its corporate status.

4. Because of the nature of the injunction issued against registrant's chief officer and controlling person and in the absence of any proffer of mitigating circumstances, we find that revocation of registrant's registration as an investment adviser is in the public interest. Accordingly,

*It is ordered*, Pursuant to section 203 (d) of the Investment Advisers Act of 1940, that the registration of Petroleum Information Service, Inc., as an investment adviser, be and it hereby is revoked.

By the Commission (Chairman Purcell and Commissioners Healy, Burke, and O'Brien), Commissioner Pike being absent and not participating.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

JANUARY 2, 1943.

[F. R. Doc. 43-231; Filed, January 5, 1943;  
10:53 a. m.]

[File Nos. 54-65, 59-6, 70-658]

#### THE UNITED GAS IMPROVEMENT COMPANY, ET AL.

#### NOTICE OF FILING AND ORDER FOR HEARING AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of January, 1943.

In the matters of The United Gas Improvement Company, applicant, The United Gas Improvement Company and subsidiary companies, respondents and Philadelphia Electric Company and The United Gas Improvement Company, applicants and declarants.

Notice is hereby given that a joint declaration or application (or both), pursuant to the Public Utility Holding Company Act of 1935, has been filed by The United Gas Improvement Company, a registered holding company, and Philadelphia Electric Company, a subsidiary of The United Gas Improvement Company.

All interested persons are referred to said document, which is on file in the office of the Commission, for a full statement of the action proposed, which may be summarized as follows:



Philadelphia Electric Company proposes to change its 15,000,000 authorized shares of common stock into 2,369,076 shares of \$1 Dividend Preference Common Stock and 12,630,924 shares of Common Stock, both without nominal or par value, and to change its outstanding 10,529,230 shares of Common Stock into shares of said \$1 Dividend Preference Common Stock and new Common Stock on the basis of 1 share of its outstanding Common Stock for 9/40th of a share of the new \$1 Dividend Stock and 31/40th of a share of the new Common Stock (non-voting Scrip in bearer form to be issued for fractional shares). The United Gas Improvement Company owns approximately 97% of the outstanding common stock of Philadelphia Electric; The United Gas Improvement Company will dispose of substantially all of the shares of \$1 Dividend Preference Common Stock and of the new Common Stock of Philadelphia Electric to be acquired in exchange for its present holding of common stock as follows: The \$1 Dividend Preference Common Shares, plus cash, will be exchanged for the outstanding preferred stock of The United Gas Improvement Company and the new Common Stock of Philadelphia Electric will be distributed to the common stockholders of The United Gas Improvement Company as a partial distribution of capital.

The shares of the new \$1 Dividend Preference Common Stock of Philadelphia Electric Company are to have preference over its new Common Stock as to and be limited to dividends of \$1 per annum payable in quarterly installments, and no dividends shall be payable on the Common Stock unless and until all dividends on the \$1 Dividend Preference Common Stock have been paid for all past quarterly dividend periods. Each share of the \$1 Dividend Preference Common Stock will be convertible at the option of the holder into 1 share of the new Common Stock of Philadelphia Electric Company during the first 3 years following the effective date of the recapitalization plan of Philadelphia Electric, 7/8th of a share thereof during the succeeding 3 years, 3/4th of a share thereof during the succeeding 3 years, and 2/3rd of a share thereof during the succeeding 3 years. Thus, a maximum of 2,369,076 shares of new Common Stock may be issued, in conversion of outstanding shares of \$1 Dividend Preference Common Stock. After the 12-year period the conversion privilege will terminate. The \$1 Dividend Preference Common Stock is to have no preemptive rights to subscribe to additional shares of any class of Philadelphia Electric capital stock but in all other respects shall have the same voting and other rights, excepting as aforesaid, as the new Philadelphia Electric Common Stock; *Provided, however*, That Philadelphia Electric Company may not be voluntarily liquidated and its business wound up (not including a merger, consolidation or sale of substantially all its property) without the consent of the holders of at least a majority of the outstanding shares of \$1 Dividend Preference Common Stock of Philadelphia Electric Company. The present stated value of \$137,816,005 now applicable to the outstanding Common Stock of Phila-

delphia Electric Company will remain unchanged so that the same aggregate amount will be applicable to the \$1 Dividend Preference Common Stock and new Common Stock of Philadelphia Electric Company.

The applicants and declarants consider that sections 6 (a), 7, 9 (a) (1), 10, 12 (c), 12 (d) of the Act and Rules U-23, U-24, U-43, U-44 promulgated thereunder are applicable to the proposed transactions and request a finding under paragraph (a) (5) of Rule U-50 exempting the proposed issue and sale by Philadelphia Electric Company of the new stocks from the competitive bidding requirements of Rule U-50.

It appearing to the Commission that it is appropriate in the public interest and the interests of investors and consumers that a hearing be held with respect to said declarations and applications and that said declarations shall not become effective or said applications be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that the proceedings consolidated by the Commission's order of December 24, 1942 in respect of the above-mentioned plan filed by The United Gas Improvement Company pursuant to section 11 (e) of the Act (File No. 54-65) and in respect of the pending proceedings under section 11 (b) (1) of the Act (File No. 59-6); and the matters concerned in the declarations or applications referred to above are related and involve common questions of law and fact and should be consolidated for hearing and for consideration and disposition by the Commission;

*It is hereby ordered*, That said consolidated proceedings and said declarations or applications be, and the same hereby are, consolidated for hearing and for consideration and disposition by the Commission.

*It is further ordered*, That a hearing on such matters, under the applicable provisions of the Act and the Rules promulgated thereunder, be held on the 19th day of January 1943 at 10 a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at such time by the hearing-room clerk in Room 318.

*It is further ordered*, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

*It is further ordered*, That, without limiting the scope of the issues presented in the consolidated proceeding, particular attention will be directed at the hearing, in addition to the matters specified in our Notice with respect to the plan of U. G. I. (Holding Company Act Release No. 4011, Dec. 24, 1942) to the following matters and questions:

1. Whether the proposed issuance of securities is exempt under section 6 (b) of the Act from the requirements of section 7 and if so, what conditions, if any,

should be imposed; if not exempt under section 6 (b), whether the applicable standards of section 7 are met;

2. Whether the proposed acquisition of securities meets the applicable provisions of section 10 of the Act;

3. The appropriateness, in the public interest and for the protection of investors and consumers, of exempting the proposed issue and sale of securities from the competitive bidding requirements of Rule U-50;

4. Whether the fees, expenses and other considerations to be paid or received, directly or indirectly, in connection with the proposed action and the transactions incidental thereto are for necessary services or purposes, reasonable in amount and properly allocated.

5. Whether, in any respect, the proposed transactions are detrimental to the public interest or the interests of investors or consumers or will tend to circumvent any provisions of the Act or any of the Rules, Regulations or Orders thereunder;

6. Whether, and to what extent, it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions in respect of the proposed transactions.

Notice is hereby given of said hearing to the above-named declarants and applicants, and to all interested persons; said notice to be given to said declarants and applicants by registered mail, and to all other persons by publication in the FEDERAL REGISTER. It is requested that any person desiring to be heard in this proceeding shall file with the Secretary of this Commission, on or before January 15, 1943, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's Rules of Practice.

*It is further ordered*, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with these proceedings other filings or matters pertaining to said plan or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-234; Filed, January 5, 1943;  
10:54 a. m.]

#### WAR PRODUCTION BOARD.

Director General for Operations.

[Preference Rating Order P-19-a, Serial  
981-A]

U. S. BUREAU OF RECLAMATION, DENVER,  
COLO.

#### REVOCATION OF PREFERENCE RATINGS

Name and address of builder: U. S. Bureau of Reclamation, Denver, Colorado.

The authority to continue construction on certain portions of the project rated



by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially numbered preference rating order shall hereafter have full force and effect except in the following respects:

1. Pursuant to paragraph (3) of the revocation, dated October 27, 1942, permission is hereby granted to perform and permit the performance of further construction on the project described therein solely for purposes of safety or health or to avoid undue damage or deterioration of materials at the site.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-180; Filed, January 4, 1943;  
12:21 p. m.]

[Preference Rating Order P-19-a, Serial 3748]

U. S. BUREAU OF RECLAMATION, DENVER,  
COLO.

#### REVOCATION OF PREFERENCE RATING

Name and address of builder: U. S. Bureau of Reclamation, Denver, Colorado.

The authority to continue construction on certain portions of the project rated by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially numbered preference rating order shall hereafter have full force and effect except in the following respects:

(1) Notwithstanding the provision of paragraph (3) of said revocation, dated October 27, 1942, the builder may perform and permit the performance of further construction on said project (such as the paving of the railroad fill, and the relocation of some roads, exclusive, however, of construction and the Lincoln County Road running south from a point near Miles, Washington for a distance of approximately fourteen (14) miles, the total cost of which further construction shall not exceed \$100,000. Notwithstanding paragraph (4) of the revocation, dated October 27, 1942, the builder may accept deliveries and the suppliers may make deliveries of such materials necessary, in addition to those materials already at the site, for such further construction. In order to acquire such materials, the preference rating assigned by the above serially numbered preference rating order is hereby restored pursuant to paragraph (6) of the revocation dated October 27, 1942.

2. Pursuant to paragraph (3) of the revocation, dated October 27, 1942, permission is hereby granted to perform and

permit the performance of further construction on the project described therein solely for purposes of safety or health or to avoid undue damage or deterioration of materials at the site.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-181; Filed, January 4, 1943;  
12:21 p. m.]

[Preference Rating Order P-19-a, Serial  
982-A]

U. S. BUREAU OF RECLAMATION, DENVER,  
COLO.

#### REVOCATION OF PREFERENCE RATING

Name and address of builder: U. S. Bureau of Reclamation, Denver, Colorado.

The authority to continue construction on certain portions of the project rated by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially numbered preference rating order shall hereafter have full force and effect except in the following respects:

1. Pursuant to paragraph (3) of the revocation, dated October 27, 1942, permission is hereby granted to perform and permit the performance of further construction on the project described therein solely for purposes of safety or health or to avoid undue damage to or deterioration of materials at the site.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-179; Filed, January 4, 1943;  
12:21 p. m.]

[Preference Rating Order P-19-a, Serial 36-A]

U. S. BUREAU OF RECLAMATION, DENVER,  
COLO.

#### REVOCATION OF PREFERENCE RATING

Name and address of builder: U. S. Bureau of Reclamation, Denver, Colorado.

The authority to continue construction on certain portions of the project rated by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially num-

bered preference rating order shall hereafter have full force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-182; Filed, January 4, 1943;  
12:21 p. m.]

[Preference Rating Order P-19-a, Serial  
1775-A]

CONSOLIDATED BUILDERS, INC., MASON CITY,  
WASH.

#### REVOCATION OF PREFERENCE RATING

Name and address of builder: Consolidated Builders, Inc., Mason City, Washington.

The authority to continue construction on certain portions of the project rated by the above serially numbered preference rating order, heretofore granted by a telegram from the undersigned, dated November 13, 1942, is hereby revoked. The revocation, dated October 27, 1942, of said serially numbered preference rating order shall hereafter have full force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-183; Filed, January 4, 1943;  
12:22 p. m.]

[Preference Rating Order P-19-a, Serial  
983-A]

U. S. BUREAU OF RECLAMATION, DENVER,  
COLO.

#### REVOCATION OF PREFERENCE RATING

Name and address of builder: U. S. Department of Interior, Bureau of Reclamation, Denver, Colorado. Name and location of project: Central Valley Project, California, Keswick Dam.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense: *It is therefore ordered:*

1. *Revocation of ratings.* Preference Rating Order P-19-a, Serial No. 983-A, is heretofore issued and assigned under date of August 29, 1942 to deliveries to the above-named builder and to deliveries to his suppliers, is hereby revoked



except for such deliveries of materials necessary for permitted further construction as hereinafter defined in paragraph (3). All preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for materials to be incorporated in or used upon the above project described (hereinafter referred to as "the project"), except for such deliveries of materials necessary for permitted further construction as hereinafter defined in paragraph (3).

2. *Effect of revocation.* This revocation shall apply to ratings heretofore applied and extended as well as to ratings which have not yet been applied or extended, except with respect to rated orders and contracts which have been completely filled, shall have the status of unrated orders or contracts.

3. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project described above except for permitted further construction being:

(a) The completion of the spillway bridge and the fishtrap structure;

(b) The placing of approximately 3,500 cubic yards of concrete to raise the low blocks in the spillway structure about seven feet;

(c) The placing of approximately 23,000 cubic yards of concrete in the three blocks of the dam containing the power penstocks, to raise them to elevation 555;

(d) The construction of timber bulkheads for the protection of the power house;

(e) Other construction solely for purposes of safety or health or to avoid undue damage to or deterioration of materials: *Provided*, That temporary measures shall be utilized to the fullest extent practicable.

4. *Prohibition of deliveries of material.* Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project except material necessary for permitted further construction hereinbefore defined. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

5. *Reports.* The builder shall file with the War Production Board Materials Redistribution Branch, such reports as may be required by the Director General for Operations.

6. *Notice to suppliers.* The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

7. *Application for exception.* The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The Director General for Operations may thereupon take such action as he deems

appropriate, including the restoration or temporary restoration of any rating herein revoked. Applications for exception under this paragraph shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

8. *Effect on prior orders.* This order supersedes all previous orders and directives of the War Production Board relative to the project.

9. *Communications.* Communications concerning this revocation shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 43-184; Filed, January 4, 1943;  
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[Preference Rating Order P-19-a, Serial  
984-A]

U. S. BUREAU OF RECLAMATION, DENVER,  
COLO.

#### REVOCATION OF PREFERENCE RATING

Name and address builder: U. S. Department of Interior, Bureau of Reclamation, Denver, Colorado. Name and location of project: Boise Project, Idaho, Anderson Ranch Dam.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense: *It is therefore ordered:*

1. *Revocation of ratings.* Preference Rating Order P-19-a, Serial No. 984-A, heretofore issued and assigned under date of August 27, 1942 to deliveries to the above-named builder and to deliveries to his suppliers, is hereby revoked except for such deliveries of materials necessary for permitted further construction as hereinafter defined in paragraph (3). All preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for materials to be incorporated in or used upon the above project described (hereinafter referred to as "the project"), except for such deliveries of materials necessary for permitted further construction as hereinafter defined in paragraph (3).

2. *Effect of revocation.* This revocation shall apply to ratings heretofore applied and extended as well as to ratings which have not yet been applied or extended, except with respect to rated orders and contracts which have been filled completely. For the purpose of extension by suppliers, as well as for the purpose of original application by the builder of any such rating, all purchase

orders and contracts so rated, except orders or contracts which have been completely filled, shall have the status of unrated orders or contracts.

3. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project described above except for permitted further construction being:

(a) The placing of about 1,600 cubic yards of reinforced concrete at the inlet portal of the diversion tunnel;

(b) The backfilling of the cut-off trench;

(c) The removal of material from the left abutment to the minimum extent necessary to protect the inlet or outlet of the diversion tunnel against stoppage.

(d) Other construction solely for purposes of safety or health or to avoid undue damage to or deterioration of materials, already incorporated.

4. *Prohibition of deliveries of material.* Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project except material necessary for permitted further construction hereinbefore defined. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

5. *Reports.* The builder shall file with the War Production Board, Materials Redistribution Branch, such reports as may be required by the Director General for Operations.

6. *Notice to suppliers.* The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

7. *Application for exception.* The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The Director General for Operations may thereupon take such action as he deems appropriate, including the restoration or temporary restoration or of any rating herein revoked. Applications for exception under this paragraph shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

8. *Effect on prior orders.* This order supersedes all previous orders and directives of the War Production Board relative to the project.

9. *Communications.* Communications concerning this revocation shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 4, 1943.

ERNEST KANZLER,  
Director General for Operations.

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